

3 1761 11630719 0









Digitized by the Internet Archive  
in 2023 with funding from  
University of Toronto

<https://archive.org/details/31761116307190>









No. 145

N° 145

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 12 May 2005**

**Jeudi 12 mai 2005**



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario



## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 12 May 2005

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 12 mai 2005

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### BREAST IMPLANT REGISTRY ACT, 2005

#### LOI DE 2005 SUR LE REGISTRE DES IMPLANTS MAMMAIRES

Ms. Churley moved second reading of the following bill:

Bill 192, An Act to establish and maintain a provincial Breast Implant Registry / Projet de loi 192, Loi prévoyant l'établissement et la tenue d'un registre provincial des implants mammaires.

**The Deputy Speaker (Mr. Bruce Crozier):** Ms. Churley has moved ballot item number 67. Pursuant to standing order 96, Ms. Churley, you have up to 10 minutes.

**Ms. Marilyn Churley (Toronto–Danforth):** I find it fitting that this may be perhaps my last private member's bill in this place, looking at what's going on in Ottawa. As you know, I will be leaving this place to throw my hat in the ring federally. It's very fitting, I believe, that I'm bringing forward today a very important, and long overdue, serious women's health issue.

Before I explain it a little more, I want to acknowledge Joyce Attis, who joined me in a press conference the other day and who is with us. She is an implant survivor, a women's health advocate and founder of the Breast Implant Line of Canada. I thank her for all the incredible hard work she has done to make people aware of the risks associated with breast implants.

I also want to acknowledge the work of Madeline Boscoe and Kathleen O'Grady of the Canadian Women's Health Network; Ann Pederson, BC Centre of Excellence for Women's Health Network; Ann Pederson, BC Centre for Excellence in Women's Health; Aleina Tweed, epidemiologist, BC Centre for Disease Control; Anne Rochon Ford, coordinator, Women and Health Protection; Judy Wasylcia-Leis, federal NDP MP and long-time women's health advocate; and Audrey McLaughlin, former leader of the Canadian NDP. They have all done tremendous work in this area.

This registry is a long overdue measure to protect women's health. Such registries have existed for a long time, and quite successfully, in the UK, Denmark and

other jurisdictions. In Canada, leading authorities and advocates in the women's health field have been calling for this measure for over a decade, but to no avail.

There is a tendency among some to trivialize this, rather than seeing it as health protection issue. As we all know, this is a health issue and a cultural issue. Implants have become increasingly popular and at some level have gained really wide, bizarre acceptance, i.e., becoming prizes in radio contests. Some parents are giving their daughters breast implants for graduation. The whole body ideal for young girls these days is making more and more young women proceed with acceptance of this kind of procedure without really knowing or questioning the possible health risks. The problem is those health risks are very sketchy. Despite repeated problems associated with implants and the body of research suggesting possible links between implants and different health problems, very serious health problems, there is still no adequate infrastructure to comprehensively monitor for, and respond to, adverse reactions to implants.

I must tell you that this is a very serious issue that is not being addressed, because now we have an estimated 100,000 to 200,000 women in Canada who have had this surgery: 20% of those were for reconstruction after mastectomy while the remaining 80% were for cosmetic augmentation. As I said, the latter seems to be rising, particularly among younger women. Some would say "Buyer beware" should apply when it comes to people who opt for this as an elective procedure, but how can women possibly be clear on that when there is a lack of information about the true nature of the risks involved? Information presupposes viable informed consent, and that is not what is happening. A growing body of research raises questions that need to be answered: What is the exact nature of the relationship between implants and the onset of serious health problems? What is the exact rate of rupture and removal? Are some women more likely than others to experience problems?

A registry like this could facilitate the long-term independent research needed to answer these questions so women can make informed decisions about the procedure. Last week, I held a press conference about this issue where experts underscored how a government registry could help collect the data needed to get such answers.

Anne Rochon Ford, co-ordinator of Women and Health Protection, said last Friday that there is no public record of even the number of surgeries performed to insert breast implants, let alone a record of the health outcomes: "Women are participating in a huge experi-



ment with a device for which we do not have long-term safety data. A registry for breast implants in Ontario would go a long way to improve our understanding of health outcomes of these devices for women."

It is very timely that this is coming before us today, because the silicone implant debate has been raised again. As you know, silicone implants had been withdrawn from the market some years ago because of safety concerns, and now there is a lot of pressure by the manufacturers to bring them back on the market, and Health Canada and the federal government are considering doing just that.

We know that pre-market reviews of implants are inadequate measures of safety. That is mostly what is happening now in terms of research. These reviews depend upon on studying reactions in a small group for a limited period of time. Adverse reactions have been shown to surface sometime after implant, six to 10 years later. This is reflected in the research that we have. Some studies dating from 1990 find that silicone gel implants do not increase women's risk for autoimmune disorders and possible disease, while most recent studies involving study groups who had implants for a longer period of time suggest an increased risk.

1010

At recent FDA hearings considering manufacturers' requests to reintroduce the silicone breast implants, the American College of Women's Health Physicians contested approving their return because adequate long-term research has not been done to figure out the relationship between silicone implants and subsequent health problems experienced by recipients.

There are some who might say, and I tend to agree in some ways, that this should be done as a national registry. There has been some attempt to get that done over the years by my NDP colleagues in Ottawa; in fact, Audrey McLaughlin was able to get all-party support some years ago to move forward. But I must say that we can't wait. Ontario has been a trailblazer in so many areas and could be again. We could send a signal today that we are ready and willing, here in Ontario, to get the whole process started, that we can be a trailblazer in this area. If there are 100,000 to 200,000 women involved across Canada, given the size and population of our Ontario, you can imagine that a large proportion of those women live in our province and are not being protected. Their health is not being protected, they are not getting the information beforehand, and if problems arise, as they often do, there is no way for a quick response to inform the women of the problems.

A registry would address in two ways the vacuum that now exists: It would serve as an emergency quick-response system to contact women whose implants may pose a health risk. Physicians would submit the information about the type of implant used and contact information about patients to the registrar, who would be appointed by the minister, in accordance with the Personal Health Information Protection Act, which already exists and protects patients who allow their personal data,

without identifying information, to be used for research purposes.

I believe that this is a very important bill to pass today. I know that there may be some concerns expressed about privacy, and I want to make it absolutely clear that if you talk to the people who have had, and are living with, serious health risks because of their not being given adequate information, not knowing the risks associated with implants, had they known that these serious health impacts would happen to them, and if you speak to some of the implant survivors who have had to have them removed, who will suffer serious health impacts for the rest of their lives, I believe they will tell you loudly and clearly—they did recently in the press conference I had here—that they very, very much want this bill passed today so it can move forward and Ontario can be first in Canada to set up a such registry.

**The Deputy Speaker:** Further debate?

**Ms. Jennifer F. Mossop (Stoney Creek):** I am pleased to rise to speak to this bill. Just before I get started on that, I want to make reference to the fact that the member who is introducing this bill is going to be leaving us soon to run federally. I have been working alongside her for about a year and a half now and have admired her work very much, especially in committee. She is a strong parliamentarian, and I wish her much success.

This is just an example of the kind of thorough and considerate work she has done. It is very thoughtful. This is, as she has pointed out, an issue that can be trivialized, and has been, but it's a serious issue, not just from health standpoint, but, as she has already pointed out, from a cultural standpoint. I just want to talk a little bit about the culture—the culture of the breast, if you will—because it's quite potent on a number of fronts.

First of all, we'll just deal with the fashion industry. You look at fashion magazines and you have these emaciated-looking models showing off clothes, and this is seen as a model. This is what you're supposed to strive for, and on top of that, you should have a fairly hefty chest. So you have to get this surgery in order to have it. I find it shocking that parents are giving this surgery to their children as a gift. There's a madness in that, the madness of our society, of our culture, that that sort of thing happens, because of the health implications, but also the self-esteem issue. We really have a problem around the way we view ourselves and our bodies, and this is a really tragic example of it.

I was looking one day at our daily newspapers, one of the large ones, and above the fold there was a picture of Britney Spears. She was in a bathing suit, a bikini, and she looked pretty great to me. She looked good. Underneath it was, "Mom-to-be Should Eat Fewer French Fries." I could not believe it. Here was a young woman who looked to be in the absolute perfect peak of health, expectant—so she had a tiny belly where the baby was—and they were suggesting that she should not be eating so many French fries. This is in a national newspaper, front page, above the fold. That's the kind of message going



out to people. It's unhealthy, I say it's a madness, and this is part of it.

So we have women who are going out there and getting surgeries. It's a money-making industry, and I think we do need some very serious controls around it. "Buyer beware" is not enough. This is something where you're doing a surgery. Something is going into somebody's body and it's a health issue.

The other thing about it is that it's not just a fashion issue. We get to the issue of breast cancer and when women have to lose a breast to breast cancer. This is a really traumatic event for women, psychologically as well as physically, because the breast is a potent icon, not just from a fashion sense but from a life-giving sense, from the feminine sense. It is what gives life, period. That's how most of us started on this planet. No matter what species you are, it is the life-giving icon. To lose that is really very traumatic for women. The breast implant offers something positive to women who have to undergo reconstructive surgery after a mastectomy, and it can restore some self-esteem, which is a positive thing. But even more important, then, is that we have some serious controls around that, especially because it is a money-making industry.

I'm going to digress just for a moment on the breast cancer issue, because my sister just went through this recently. What you have to go through with breast cancer is a range, and she's doing very well, thankfully. But the northern shore of Lake Ontario is one of the hot spots in the world for breast cancer. We have a high incidence of that in Ontario. I think it's second only to the San Francisco Bay area. Most people don't know that. The northern shore of Lake Ontario is second only to San Francisco Bay for the highest incidence of breast cancer in the world. They're not sure why that is. We can stand here and guess, but that's probably not a good idea. She lived in that area and contracted breast cancer, and went through all that you have to go through when you are told you have cancer, and then to have to recover from that in all the areas.

On the one hand, the implants can provide a tremendous amount of hope and psychological support. On the other hand, the concept of them is a negative; I think it's a negative in our society and in our world.

1020

Some of the information has already been presented by Ms. Churley, but I just wanted to go over the current status so that people understand. At the moment, most breast implants are performed in private health clinics, and they are not captured in the ministry administrative databases. So right now, a lot of data is lacking in terms of the exact number of implants being performed in Ontario and Canada and on the long-term health effects of the breast implantation. That's something that, given the experience with the silicone gel implants, is really needed at this point.

The breast implant registry could help protect the health of women by monitoring the implantation and allowing notification of implant recipients in case of any

safety concerns. It would also enable the scientific research needed to make evidence-based safety decisions.

Health Canada is currently reviewing the reintroduction of silicone gel implants. As mentioned, they were removed in 1992. The fact that it's being reviewed now that they're coming back really does speak to the fact that there has to be some serious control put around this issue.

If we're going to move forward at all as a society one day, it would be very nice to think that we didn't have to go to such tragic or extreme lengths to change our bodies one way or another just to satisfy some made-up ideal.

I think it's an important thing that the member has brought forward today and that it should be taken quite seriously. I applaud her for bringing it forward.

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to be able to rise today. I'm going to be speaking to a couple of bills this morning, Bill 192 and Bill 191 as well.

First of all, on Bill 192, the Breast Implant Registry Act, I want to speak for a few moments on the member from Toronto-Danforth. I echo the comments made by the member from Stoney Creek on her moving on to federal politics. I will say to Marilyn Churley that although we don't have the same ideals in our provincial party, the Progressive Conservative Party, I have really enjoyed working in the House with all members of the House but particularly members of the New Democratic Party in opposition.

In some cases, when you start out in politics, you tend to have straightforward thinking. What really changes that, in a lot of cases—I do a lot of appointments with constituents in my office, so you end up with much more of a social conscience as you listen to their stories and try to think how we can resolve some of the problems. I looked for some of those yesterday in the budget, some of the resolutions I was expecting.

The loss of Ms. Churley will be the federal party's gain. I talked just a week ago to Ms. Churley's opponent in the last provincial election, a fellow by the name of George Sardelis, who says he will never, ever again run in that riding for our party. George is actually currently working for Helena Guergis, the MP for Simcoe-Grey. He is a very nice person. He ran in Toronto-Danforth in the last provincial election and didn't do very well against Ms. Churley, so I know she is very well respected. Her loss from this House will be somewhat similar to when Frances Lankin left. I thought that was a great loss as well.

It's disappointing when we as politicians lose members, in any political party. I'm sorry to see Jim Flaherty and John Baird leave as well. Obviously, they want to move on to some other challenges in their lives. I think we have to re-evaluate some of the things we do in this House and maybe the way we're compensated so we don't lose people quite as easily as we have. We're losing some excellent members in this particular round. I wanted to put that on the record.

The registry: Ms. Churley's office passed around a lot of background on this legislation. I never dreamt on



God's green earth that I'd be talking about a breast implant registry, but this is an interesting topic. I had no idea of the kind of numbers they're talking about.

Just as recently as this week, May 9, there was an article by Heather Sokoloff in the *National Post*, which Ms. Churley's office sent around. I want to quote part of it: "With anywhere from 100,000 to 200,000 women in Canada having undergone implant surgery, about 20% following a mastectomy and the remaining 80% for cosmetic augmentation, Ms. Tweed felt women were entitled to answers."

I had no idea. I think it's important to note that there's such a wide variety in the numbers. There are so many areas of this particular issue that are unknown. I only got a copy of the bill in the last little while, but the question I want to ask Ms. Churley and the members of this House zeroes in on two areas: confidentiality and what is actually voluntary.

My understanding, reading the *National Post* article and part of the bill, is that we are talking about an issue that would be voluntary for women who wanted to provide that information to a certain registry. I'll ask Ms. Churley, and maybe Mr. Prue or Ms. Churley can address that in some of their statements. I'm talking about confidentiality and just who would have access to this registry. I wouldn't want to think it was something that everyone could tap into somehow. I'd want to make sure it was only physicians or people in research, that type of thing. Second, just what is voluntary? I'm certain that many, many women who have gone through this process would want it to always be confidential.

However, that being said, it's safe to say, particularly in the area of the 20% following a mastectomy, that it's really important that we treat it as a health and safety issue and an issue involving our health system.

Breast cancer research and the attention that is paid to that across our province and across our country is overwhelming, and I can't think of anything more traumatic to affect a female's life than to lose a breast due to a mastectomy for breast cancer.

In our area, and I think across the province, the pink ribbon symbolizes breast cancer awareness and research. My wife and daughter are involved in a golf tournament in a couple of weeks to raise funds for breast cancer research. It's a females-only golf tournament that's going to be up in Hawk Ridge on June 6. I think it will be well attended and, hopefully, it will raise quite a bit of money locally for that.

I can also tell you that we have a serious problem in Simcoe county with awareness of breast cancer and of cancer in general. It involves our ongoing lobbying for a Cancer Care Ontario unit to be built at the Royal Victoria Hospital in Barrie. Just a week ago, a bunch of the radio stations in the Barrie area got together. They had a fundraising telethon. A lot of politicians, doctors, nurses and people who have a serious concern about whether or not we should have that Cancer Care Ontario unit in Barrie got together and raised a lot of money just to bring awareness of that. I was part of that. I enjoyed being with

the radio stations and discussing this and trying to bring awareness, because cancer is a disease that seems to be more prevalent now than ever before. We seem to be hearing of more cases of it, and of course breast cancer is one of the leading areas of that. We need to make sure that in Simcoe county, in central Ontario, we have access to that Cancer Care Ontario unit, and not five or 10 years from now.

### 1030

The folks up at the Royal Victoria Hospital in Barrie, as we speak today, are drawing up plans. They're prepared to go; they're prepared to start construction. We just need the Ministry of Health and Long-Term Care to support this endeavour. Simcoe county is ready for it. The hospital has been out talking to the city of Barrie, talking to the county of Simcoe, talking to all the stakeholders. They're looking for a massive campaign. It will help many women who may or may not have problems with breast cancer.

I want to acknowledge for a second that we had a very difficult time in our caucus last year when Mrs. Munro, the person who sits right beside me, the member from York North, came across breast cancer. She had a very difficult time with chemotherapy and radiation and all those sorts of things. She fought hard and she won, and we're so pleased that happened. I know it was a very traumatic experience not only for Mrs. Munro but for all our caucus members and probably all the members of this House. We can play our political games here, but when someone's health is at risk, everyone is there trying to back them up.

As I continue, you do get a bit of a social conscience as an MPP. You come into this area not knowing all the different issues when you become a brand new member of Parliament, and you learn very quickly. I've listened to the New Democratic member from Nickel Belt, who is relentless in her pursuit of help for autistic children. A week ago, a grandfather came in to see me in my office in Orillia. He has autistic grandsons. They're three years old. He can't get them into any IBI treatment. At one time, this gentleman had his house paid for. Now he is mortgaging his future, and this man is already in his late 60s, to provide, on his own, IBI treatment for three-year-olds. They can't get into the program. What do we say to someone like that? What do we say?

I looked for it in the budget yesterday. I looked for the word "autism" to be used once. I looked in the backgrounder. I looked in Mr. Sorbara's speech: "Investing in People, Strengthening our Economy." I thought the word "autism" would have been used once. It wasn't. I actually encouraged the grandfather last week to look forward to the budget, because something must be coming. With all this new federal money and the health premium tax we have today, surely there'd be something for autistic children. It wasn't there, nothing was there, so now I've got to call the guy on the weekend and try to find out how we can possibly help him. This guy will go bankrupt, as a person in his late 60s, trying to help his son. His son has no financial resources, so the grandfather is



mortgaging his house to try his best to help his autistic grandsons. That's a sad story, and it's one of the reasons—as I said earlier, you tend to think you're a hard-line Conservative or a hard-line Liberal or whatever it is, but everybody who has a social conscience has to be responsible and think about all the unfortunate people in our lives.

I'm going to wrap it up right there. I just want to acknowledge the fact that I personally will support this registry. As long as there is confidentiality and it is voluntary, I can't see how this could possibly hurt any women in our country, and I think it would show the leadership role that Ms. Churley and the province of Ontario are taking.

I want to leave a couple of minutes for my colleague from Haliburton—Victoria—Brock. She'd like to wrap up and make a few comments as well.

**Mr. Michael Prue (Beaches—East York):** It is a privilege and an honour to stand today to comment on the member from Toronto—Danforth's bill.

The other day in the House, I had a member's statement, and—following my discovery, and at first my dismay, that my colleague was going to leave me—I gave my whole statement about her. As a recent newspaper so aptly put it—I'd just like to read this line from Canada.com, because it's really good about this registry. It says, "But the idea of a registry got a new shot of life last week when Marilyn Churley, a flamboyant NDP member of Ontario Legislature, proposed the creation of a registry in a private member's bill endorsed by high-profile women's health researchers and activists across the country."

It's the word "flamboyant" that I want to talk about, because I think that is exactly the best adjective I have ever seen to describe Ms. Churley. I have had the pleasure of working with her in this House for four years, but also the pleasure of working with her for many years when I was mayor of East York. As you are well aware, a large portion of Toronto—Danforth is in East York, and we would often work collaboratively together.

*Interjection.*

**Mr. Prue:** Yes, and from time to time we would even celebrate great events.

I'm going to miss her very much here, but I want to tell you, the people of Beaches—East York, those I have contacted in the days since she announced she will be running federally in what, for all intents and purposes, is my provincial riding—the federal riding has shifted very slightly with the new boundaries, but for all intents and purposes, it is 95% the same—are overjoyed at the prospect of having a federal representative who is flamboyant, who is so hard-working, who has, as was described, a social conscience. As much as we may miss her here, I know that the people in my riding are so excited about having such a champion on the federal level.

Having said that, just a few words, because I believe my colleague from Hamilton East also wants to speak to this.

When we look at what necessitates this bill, primarily it is driven by cosmetic surgery. We would all acknowledge and appreciate the necessity or the desire of women who have had mastectomies to have reconstructive surgery, and we can understand that with any surgery comes risk. But most of the people who put themselves at risk are doing so not for reconstructive reasons but simply for cosmetic reasons.

In this day and age, I have to tell you, as a feminist—I consider myself a feminist, because you do not have to be feminine to be a feminist. To be a feminist is to believe that women have equality, to believe that women have a place, to believe that women's views matter. Being a feminist, I am surprised that the number of cosmetic surgeries being done today is increasing exponentially. It wasn't all that many years ago, reading authors like Germaine Greer and others, that I really thought that women had overthrown and gone beyond some of this need that, historically, had been pressed upon them. But that appears not to be case.

It is not surprising, I guess, when you look at the long history of how women have been forced to beautify themselves, often against their will, and what happens to women even today to meet this feminine ideal. Being a bit of historian, I look back in history. In the Middle Ages and through the Renaissance, women were bled. Their veins were opened and they were bled so they would have pale complexions. It was believed that by siphoning off a litre or two of blood in advance of some kind of party or event, the woman would look pale and wan. That was something that was desired, so women allowed themselves to be bled.

**1040**

We can look at some of the fashions where women had to wear bodices that were pulled with tight strings to the point that suffocation often resulted. They did that in order to have what appeared to be tiny little wasp-like waists. We can look to the Chinese culture where they bound young girls' feet. They bound them when they were five or six years old with tight bandages, so that by the time a young girl became a young woman or a woman of mature age, the feet were so tiny that it was almost impossible to walk, because having little tiny feet was considered a thing of beauty. We also look at what constitutes beauty in other times and, frankly, women have been forced to sort of try to go along with that and to do things to their bodies that are really quite unnatural. This is just an extension of all that.

We support the idea of the registry. We think that it is going to do two very good things: One is there is a quick-response contact so that women will be able to learn very fast if something has gone wrong with a product or a procedure. The second one is there will be an opportunity to study whether or not this is safe. I would suggest it is not safe, because we know some of the problems that have surfaced already. We know from research that is extant at this time that women with implants are four times more likely to be hospitalized than woman without implants. We know that they can rupture, they can

deflate, and they can leak. We know that complication like pain and numbness and scar tissue proliferate and often result in having to have more and more surgeries to get rid of it. We know such diseases as fibromyalgia and thyroid disorders result.

But I think the strongest thing I can do—and I'd like to spend a minute or so doing that—is to quote Joyce Attis. She is here today, and she is a very brave woman. She went on the air, and I don't know whether it was live or taped, but she went on television and she told her story, and I have it here. It's going to take about a minute to read, but I think it is poignant and says why this is necessary. I quote it in its entirety:

"I had a silicone gel breast implant placed in my right breast because it had not developed. I had a condition known as Poland's syndrome. I was 21 years old and a university student. From the age of 13, I wore an external prosthesis. I just wanted to wear clothes properly and not have to worry about the external prosthesis slipping around or out of my bra. I now wear an external prosthesis again. Believe me, if I had known how my health and life would be so negatively impacted by that one implant, I would never have had it placed in my body.

"For the first five years, I was very happy and healthy. Soon after, I had a very hard misshaped right breast that I refer to as a cement ball. Having only one silicone gel breast implant and not knowing anyone else with breast implants, I had nothing with which to compare my right breast. Each physician I asked about it told me not to worry, that everything was okay. But it wasn't. That breast hurt. I had constant pain and it was very sensitive to touch—and still is.

"My good health began to fade and I was told I had developed some type of connective tissue disease. My rheumatologist, at that time, also said I had symptoms of lupus and rheumatoid arthritis. I was fatigued most of the time.

"About seven years after the implant was put in, I developed horrible ribcage and spinal pain that sent me on a whirlwind of visits for four years to many different physicians. I have seen almost every 'ologist' there is.

"I was run through batteries of tests, to ascertain if the problems were psychosomatic or systemic. An orthopedic surgeon deduced from tests that the problem was indeed systemic and then fused five levels of my thoracic spine (1982). The thoracic spine is a part of the spine that is rarely fused. I now have metal rods and wires on both sides of and around my spine. The metal and the fusion have of course caused other health complications.

"I dealt with many other health issues and didn't make a connection to that one silicone gel breast implant until 1991 when again I spoke with my then rheumatologist who agreed with me that I should have the implant removed.

"Imagine how many health care dollars would not have been spent had Ontario had a breast implant registry. It is a tremendous burden to OHIP and the residents of Ontario to cover costs finding out what is wrong and how to make one better because of a failed medical

device. This is even more difficult when there is a community of physicians who, because it could be a major part of their livelihood, continue to loudly vocalize that breast implants do not cause problems.

"With a breast implant registry, we will know the truth!

"With a breast implant registry, I could have been notified years earlier about this failed medical device, and I would never have developed the health complications I now live with daily.

"With a breast implant registry I would have never needed to see so many doctors nor would I have been hospitalized as many times as I was."

That is one woman's story. She is here today. I hope all members will recognize what she has gone through and do whatever is necessary so that it does not happen to others.

**Mrs. Carol Mitchell (Huron-Bruce):** I'm very pleased to rise today to speak on Bill 192, the Breast Implant Registry Act. One of the things I would like to talk about is the actual background that this private member has brought forward. The bill would require the Minister of Health and Long-Term Care to appoint a registrar to establish, maintain and operate the registry. The bill sets out a framework for the registry; reporting requirements for health care practitioners; requirements for manufacturers, importers and distributors of breast implants to notify the registry of health risks for users of the implants; obligations for the registry to notify users and health care practitioners of health risks of breast implants; reporting obligations of researchers that use the information from the registry for research; and offences and penalties for failing to fulfill the bill's reporting requirements. The bill provides that information contained in the registry that is not personal health information may be disclosed by the registrar, as prescribed by regulation.

I'd just like to take a moment to talk about what we have in Canada right now. Most breast implants are performed in private health clinics and they are therefore not captured within the ministry administrative databases. Consequently, the data are lacking on the exact number of implants that are actually performed in Ontario and in Canada, and the long-term health effects of breast implantation.

The registry would go forward a great distance, I believe, to protect the health of women by monitoring the implantation and explantation procedures; allowing notification to the recipients in case there are some safety concerns that arise from the implants; and enabling the scientific research that's needed for evidence-based safety decisions.

Health Canada is currently reviewing the reintroduction of silicone gel implants. History lesson: They were removed from the Canadian market in 1992 due to safety concerns. We think about that time and how much easier it would have made it for all the people who were affected if a database had been available at that time. The worry and the stress about not knowing what is put within your body and how it affects your overall health—



you can only begin to imagine what that would feel like if you were a recipient or an individual who was affected by that.

So what can we do within our role to make the lives of women in Ontario—and certainly, I am sure, Ontario leading by example, the rest of the Canadians will see what we have done here today.

I think about some of the things that we have done in the past as women, which I'm going to talk about for a minute, some of the silly things—I'm sure they weren't silly at that time—we have done for the sake of fashion, and I guess you could say self-image. I'm not sure whether it's self-image or a perceived self-image, a self-image that you would wish to project.

**1050**

One of things that I always felt was probably one of most barbaric customs we had was when corsets first came into place. They were made at that time with steel or iron. At that time, the perfect waist was 16 or 17 inches. Certainly, I can say I'm a long way from that. But at that time, they kept pushing and pushing, and if, by chance, the ribcage got in the way of what the woman wanted to look like, then the ribs were broken, so that we could continue to bring the perfect waist in at 16 inches.

I know that it's a different case if it's reconstructive surgery or if it's cosmetic. We can't lose sight of that, but in my mind, it's about perceived self-image and it's about the image we want to present to the public as a whole.

What we can do as legislators is to ensure that when a decision is made to move forward, be it for reconstructive or cosmetic surgery, the women making those decisions have all the information they need to make the best decision they possibly can, and then do what we can as a government to ensure that that information remains current and the scientific research and database go forward with their decisions, if there is a change in any of the science-based reconstructive surgery or the devices that were used.

When I stand today, I rise to support Bill 192, with the proviso that I believe that it should go forward on a voluntary basis, which may not be reflective of what is going forward today. I do say this to the member, that I will support the bill, with the proviso that you know what my concerns are. I feel it should be on a voluntary basis. I do believe, in the long-run, that we should work toward mandatory reporting, but at this time, I think that it should be voluntary. We can work toward that so that people can move forward and women can feel comfortable that the database has information that they want to be entered into it. But that is not what is presented. So with that being said, I still will support the bill.

I congratulate the private member for bringing forward something that I'm sure will make a difference in the lives of women who have to face a very difficult decision when they are going through reconstructive surgery. It must be a very traumatic and very difficult decision to make; for women too, who make the decision based on cosmetic reasons, on whether or not to go

forward with that decision. They can make that decision knowing that the database will protect their interests, knowing the science is there and, as well, if anything moves forward, that information will be able to go forward with them. So my congratulations to the private member and my congratulations on the future of the private member.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** It is a pleasure to rise today and thank the member for Toronto–Danforth for introducing Bill 192, the Breast Implant Registry Act, 2005, and to thank her for all her past work in the Legislature, for bringing attention to such matters and to wish her all best in the future.

There is certainly a need, with an estimated 100,000 to 200,000 women in Canada having implant surgery, 20% due to reconstruction after mastectomy while the remaining 80% were for cosmetic augmentation. The member from Stoney Creek talked about the imaging in younger women and how breast augmentation is on the rise. There was even a radio station in Ottawa that recently held a contest where the prize was a breast augmentation, and their lines were deluged. I think, as a society, we have to look at influences on our young people.

I want to make mention of a breast cancer luncheon I was at in Lindsay recently with over 200 women. Sharon Chambers has organized that luncheon for the past five years. It raises money for development for breast cancer research and all the work that they have done in that field. I think that a registry is certainly long overdue and it would facilitate some long-term independent research needed to answer the questions and make women more informed on the important decisions they have to make.

In the early days, I think that upholstery fill was used for breast implantation, so we are way beyond those days.

We need to have a tracking system and more information out there for women to make these decisions.

**Ms. Andrea Horwath (Hamilton East):** It's my pleasure to enter into the debate on Bill 192, the Breast Implant Registry Act, brought forward by my colleague, who has come to be a friend, Marilyn Churley. I'm going to be missing her as she moves on to different parts of her political career. I think this bill really indicates the effectiveness of this member, not only today but in what she has been able to do in her history here and what I know she'll continue to do as she moves into other areas of her political career.

I made an effort to get here to speak to this issue. I listened to many of the comments before I was in the House and since I got here. There are a couple of things that I find really ironic. The first piece is how long it has been for women to be able to get the kind of recognition and access to women-centred health care around the world, quite frankly, but really in our communities and in Canada. When you look at the way the medical profession has, over time, not dealt with women's health issues in a serious way, right up until recent decades, when in fact you could rarely even obtain a woman physician, then certainly coming to this debate now and talking

about having a registry for breast implants shows that we've come a long way, but not long enough.

I think it's interesting that some of the debate has centred around whether this particular registry should be mandatory or optional. It's ironic that the very 80% of women who choose breast augmentation as a cosmetic choice—again, I'm not going to judge those women. I have my own perspectives on that as a feminist and as a woman. However, I think it's interesting that on the one hand we say that we should make this an optional thing because people might be embarrassed, there might be some ostracism, there's a privacy issue—it's a bit ironic, though, that all of the trappings of our modern society that lead women into this position where they feel that they have to get breast augmentation to somehow be acceptable or to be more beautiful or to have a figure that is more reflective of what we see in commercials and in our daily drivel of media representations are the same trappings that would then make them embarrassed to be put on to a registry. That's a sad situation.

I strongly support this bill. I think it's long past due that this registry be put in place not only in Ontario and in Canada, but worldwide, because unfortunately the number of women who are choosing to go this route is growing. That's an unfortunate statement on where we've come as a society.

Nonetheless, I still don't believe that the medical profession takes women's health issues seriously. This is one way to make sure that that is forced in this particular area. I think we have long seen very intrusive medical responses to women's health issues. We have seen medical responses that have not adequately and appropriately given credit to women who are describing what's happening to their own bodies. Even in mental health, it has been problematic for women to get the attention that they require and that they deserve in an equitable health system.

**The Deputy Speaker:** Ms. Churley, you have two minutes to reply.

**Ms. Churley:** This was a really good debate. I appreciate the comments made by the members from Stoney Creek, Simcoe North, Beaches—East York, Huron—Bruce, Haliburton—Victoria—Brock, and of course my dear friend and colleague from Hamilton East. I heard some of the concerns expressed, although I was quite gratified—and Joyce, I'm sure you were as well—to hear the support for this bill today.

Some of the concerns around privacy: I must say that I want to underscore that the role the registry would play in research would be in keeping with the rules already set out by the Personal Health Information Protection Act. The act has sections that would apply to research, and this bill follows that to the letter in terms of confidentiality. People can sign consent forms, should they choose, to allow their personal information to be attached for research purposes, but that is within the bill.

1100

I want to quote, or at least paraphrase, Joyce, who said that with a breast implant registry, we will save money for the public health care system.

We didn't talk about that a lot today, but of course what we have talked about are the serious health problems and hospitalizations and surgery that follow frequently, after many years in some cases, and that of course costs our public health care system a lot of money. That's another aspect we should look at here.

I would suggest that we send this bill to committee, and I know that all my colleagues here will pick up on it, should the government proceed with the registry and have it come back for third reading and a final vote in this House. I want to thank everybody for their tremendous support today.

#### APPRENTICESHIP AND CERTIFICATION AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT LA LOI SUR L'APPRENTISSAGE ET LA RECONNAISSANCE PROFESSIONNELLE

Ms. Scott moved second reading of the following bill:

Bill 191, An Act to amend the Apprenticeship and Certification Act, 1998 / Projet de loi 191, Loi modifiant la Loi de 1998 sur l'apprentissage et la reconnaissance professionnelle.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Ms. Scott, you have up to 10 minutes.

**Ms. Laurie Scott (Haliburton—Victoria—Brock):** This bill will begin the process of developing a new apprenticeship for people working in the fuel industry. Bill 191 creates an industry committee that would be known as the fuel industry technician advisory committee. This industry committee would act as a voice and representative for gas and oil burner fitters and fuel technicians. These trades are those that require the obtaining of fuel industry certificates, as required by the Technical Standards and Safety Authority in regulation 215/01 of the Technical Standards and Safety Act, 2000.

The bill addresses concerns raised by average Ontarians about trades in the fuel industry. There is a need for trades in this industry to have a secure position with our province's apprenticeship training system. The bill also serves as a reminder that our education system needs to constantly respond to gaps in the labour market and to our province's changing needs. Apprenticeship training and labour market shortages are usually not fiercely discussed items in our public agenda. Unless you know someone who works in the particular trade, the needs and difficulties experienced are relatively invisible to most people, and even to those of us who stand as elected representatives.

Before I deal with the specifics of the bill, I will spend some time talking about the nature and worth of apprenticeship training. Originally, the Trades Qualification and Apprenticeship Act guided the development and place of skilled trades in Ontario. The previous government sought to renew Ontario's system of apprenticeship train-



ing. In 1998, they introduced the Apprenticeship and Certification Act. This act instituted different learning styles and planned for gaps in our skilled workforce. The act has done a good job of achieving these objectives.

In particular, a member of the caucus from Simcoe North, who will speak shortly on this bill, raised the profile of skilled trades and why technology in education and apprenticeship training is valuable. In his role as parliamentary assistant to the Minister of Education, Garfield Dunlop conducted a number of stakeholder consultations. He examined the state of technology education in Ontario and how many more young adults could be attracted to skilled trades. A report based on these consultations was submitted to the minister. It outlined recommendations for strengthening technology in education and apprenticeship training. It also expressed serious concerns about shortages in skilled workers. It also noted that programming is needed for students and young adults to access the training required to work in skilled trades.

Four years later, discussions about the skilled trades have not changed that much. Similar concerns are still out there. We need to move forward and support the development of skilled trades and apprenticeship training. There is currently no apprenticeship training in place for people who work or who are planning to work as field technicians. This is quite surprising.

The use of natural gas is growing. The number of jobs in this sector is growing. Fully 200 million homes, businesses and industries in Ontario use natural gas appliances on a daily basis. In Ontario alone, 4,000 employers hire a variety of tradespeople to heat, vent, cool, freeze and conduct and make sure that air does not escape from our homes and businesses.

Fuel technicians do not perform one standard job or service. They work in a variety of areas. Fuel technicians work with natural gas and oil-fuelled furnaces. They install them, repair them and remove them. They also work with air conditioners and ventilation systems. They enter our homes, schools and businesses and provide important services to all of us. The fuel technician trade straddles a number of occupations. These people also work as sheet metal fitters, plumbers and refrigeration mechanics.

Trades in the fuel industry do not exist in a vacuum. They overlap with a number of different sectors. There is a common feature between all of these trades and jobs: Most people working in any of these trades or jobs are required to meet particular training and certification standards as specified by the delegated administrative authority, the Technical Standards and Safety Authority.

People who work in the fuel industry are governed by strict and constantly beefed-up safety standards. The occurrence of tragic fuel explosions in Ontario has resulted in rigorous safety standards. In 2002, 4,691 fuel-related accidents were reported in Ontario; 91% of these accidents involved natural gas pipelines. Investigations showed that natural gas pipeline accidents were caused by a failure to follow safety guidelines when working

near buried natural gas pipelines and to properly locate buried natural gas pipelines before conducting excavation work.

The materials that fuel technicians work with require them to be highly trained individuals. People who work in the fuel industry are required to complete particular training and to hold particular certifications in order to work. Working as a fuel technician is a multi-step certification process. Obtainment of certification, along with hands-on training with an expert in the field, is required to proceed to higher levels of certification.

Small business owners in my riding of Haliburton–Victoria–Brock who work with heating and cooling systems brought this to my attention. Speaking with them, I learned that getting the required training certification to work as a fuel technician is a challenge. In some cases, accessing training is in fact an impossibility. People working in the field often have to quit their jobs to return to school to upgrade their certifications or to complete base training requirements. In some cases, where people do not have to quit their jobs, there are still many challenges. How does someone supporting a family and reliant on a steady income return to school without financial assistance? How does someone even afford tuition to attend?

The place of these trades within our apprentice system is not only an issue of accessibility but also an issue about how we ensure that our labour force is ready to meet the demands of our citizens and how we as a government support high public safety standards.

The government has put forward an agenda that is committed to ensuring that Ontario has a stable and well-trained skilled workforce. Their plan is to “build an economy based on high skills and high standards” by “strengthening our greatest competitive advantage: the skills and expertise of Ontario’s workers.” This government has said that they are working toward reducing a reported shortage in 41% of Ontario’s skilled trades over the next five years. This bill complements these initiatives. It is a bill that I hope will be applauded by all members of the Legislature.

The bill is also about meeting the future needs of our workforce. The demand for skilled workers in the fuel industry is very real. Apprenticeship training would help meet this need. The demand for natural gas in Ontario and throughout Canada is steadily increasing. We need to ensure that there is a steady stream of well-trained and qualified individuals ready to work in this area.

The Propane Gas Association of Canada commented, “The issue of a shortage in trained and skilled technicians in the gas field for both natural gas and propane is not unique to one province or even one region in Canada. It is widespread and will become more acute in a short period of time.” We need to respond to this reality.

**1110**

Industry representatives in the heating, ventilation and air conditioning industry are supportive of apprenticeship training. They have stated that some sort of apprenticeship training would give a much-needed face to the trade.

Apprenticeship training would ensure that recruitment into the industry is stable. Eighty-two per cent of the refrigeration and air conditioning contractors association members support apprenticeship training.

Colleges in Ontario are supportive of working toward a new apprenticeship program. Directors of various apprenticeship departments in Ontario colleges have emphasized that fuel technician training is a natural fit with the apprenticeship model. In my riding, Fleming College, a training provider for fuel technician courses, has told me this trade needs to be supported by apprenticeship training. More courses need to be offered to meet the number of people wanting to enrol. Training facilities need to be upgraded to ensure that safety standards are met.

Contractors, like Jerry Walker of Walker's Heating and Cooling Systems from Haliburton, support this bill and first introduced me to the need. Industry stakeholders representing the natural gas, liquid propane, fuel oil and heating ventilation and air conditioning sectors support this bill. The Association of Colleges of Applied Arts and Technology of Ontario supports this bill. Individual workers, educators and industry representatives want to see this initiative moved forward.

This bill is about how our education system provides training for skilled workers. It is also about preparing for future demands in our workforce. It is about public safety and how we help ensure that safety standards are put into practice.

Bill 191 simply requires that workers, educators and industry be brought to the table to develop a new apprenticeship program. Interest is out there. The heating, refrigeration and air conditioning association is ready to move this initiative forward. The Communications, Energy and Paperworkers Union of Canada is eager to move this forward. The Ontario Propane Association wants to move ahead with this process and be part of it. The Association of Colleges of Applied Arts and Technology wants to move forward and have a seat at the table. Scott Andison, president of the Canadian Oil Heat Association, is sitting in the gallery today and supports developing a new apprenticeship program. Scott, thank you for being here with us today.

Let's provide them with the tools to do this. We need to increase the number of fully trained and qualified fuel technicians in Ontario and develop a new apprenticeship program under the umbrella of the Ministry of Training, Colleges and Universities.

**The Deputy Speaker:** Further debate?

**Mr. Jeff Leal (Peterborough):** It's indeed a pleasure for me this morning to speak on Bill 191, An Act to amend the Apprenticeship and Certification Act, 1998. I must say it is our intention—my intention—to support this private member's bill.

At the outset, I want to state the high regard I have for the member from Haliburton—Victoria—Brock. I had the pleasure, during my time on council in Peterborough, to get to know her father, the late Bill Scott, who very ably represented that riding federally from 1965 to 1993. He was a very distinguished parliamentarian. From time to

time our paths crossed, and I always enjoyed my discussions with Mr. Scott about the workings of the federal Parliament.

We feel this is a very important private member's bill. I had the opportunity to chat with the Minister of Training, Colleges and Universities, the Honourable Mary Anne Chambers, who, I might add, showed enormous leadership, working with the Premier and the finance minister to put some \$6.2 billion of new money into colleges, training and universities over the next five years. As my good friend the president of Trent University in Peterborough said to me after the budget presentation yesterday, it's the first significant investment in post-secondary education Ontario in the last 24 years. Indeed, that's being well received, from Cochrane to Kenora, from Windsor to Peterborough to Stratford and all across the province. But I don't want to digress too far, Speaker. I'll get back to what we're talking about here this morning.

We've been working in the ministry with the Technical Standards and Safety Authority in the province of Ontario. We've asked that particular group to help us come up with solutions for training in the fuel industry. The trades and fuel industry standards are set by the TSSA, and training is provided through colleges and private deliveries for the standards in the province. Currently, colleges offering the program include Algonquin, Humber, Mohawk, George Brown and Cambrian. There are also several private deliverers in this area, including Direct Energy. There is a wide range of classroom-delivered training programs in the fuel sector, and typical durations last from eight to 24 weeks. Durations for the on-the-job training portion range from two to four years and include between 4,000 and 8,000 hours of training.

Support from the industry for this apprenticeship program has existed but has been somewhat inconsistent. Some in industry believe an Ontario apprenticeship program would be redundant, while others think it certainly is the way to go, and I appreciate the member's initiative this morning.

I want to add that the Ministry of Training, Colleges and Universities has been working with the TSSA over the last number of years to develop an apprenticeship program in the fuel industry. This has been ongoing and we're working diligently in this area because we certainly recognize the need for this particular skill.

One of the things we're trying to emphasize in Ontario today is that for those individuals who are entering an apprenticeship training program, these are really gold-collar occupations because the potential to earn in these areas and to explore new areas is unlimited. We have witnessed in the last number of years that the last great immigration flow to Ontario, which came principally from Europe in 1959-60, is now retiring. Indeed, a number of economists have indicated that one of the potential difficulties with the Ontario economy going forward is a shortage of skilled tradespeople. That's why we like to refer to them now as gold-collar occupations: a chance for young people, people who perhaps have been out of



school for a while or those individuals who have gone on to community college, an opportunity to have the potential—it's unlimited with the kinds of skills we have today.

Just recently, I talked to an individual in Toronto who is very involved in the rehabilitation of brownfield sites who indicated to me that you can't find good drywallers. I know there's a shortage of toolmakers and machinists. The member from Haliburton–Victoria–Brock has also identified an area within the fuel industry where there's a need to develop an apprenticeship training program.

We on our side find this a very exciting opportunity. Indeed, as the parliamentary assistant to the minister, we look forward to supporting this initiative.

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to be able to rise today to speak for a few moments on Bill 191, the Apprenticeship and Certification Amendment Act, 2005, from my colleague Ms. Scott, the member from Haliburton–Victoria–Brock. This bill is very timely. I can tell you as someone who spent 25 years in the skilled trades area—I'll tell you a little bit about some of these particular licences in a few moments—it's an area the province should pay more attention to.

There's no question in my mind that this bill is more about public safety than it is actually about certification. I'll give you a little bit of background. When I got out of college, the first technician's licence I got was an oil burner licence. All I really had to do was pass an exam. I wrote the exam. There was no background other than I worked in our family business. I was able to take that licence and go out and immediately start work on oil burners. I got my natural gas licence when I was in my apprenticeship for plumbing. I did that just on the side because I didn't have a lot of trouble with the plumbing apprenticeship courses, and at Humber College I was allowed to write the gasfitter 2 licence. I got that with no background whatsoever, and I was able to go out and work on equipment.

This is the problem: Even 20 years ago, the equipment was much more simplified. We never had near the efficiencies in the equipment, and we didn't have the electronic equipment on furnaces and air conditioners etc. that we have today. There are all kinds of safety features. I don't think there's a furnace made today with a pilot light on it. Everything is electronic ignition. When a person is out repairing these furnaces in the middle of the night or on a weekend, they have to be able to follow a very complicated process to work on the equipment.

1120

There are the three fuels: oil, natural gas and propane. The equipment that we supply today that is manufactured not only here in Ontario but in the United States, as well as in Europe, comes into Canada and gets CSA approval and ULC approval, in most cases, is very technical, and you need a lot of experience to work on not only the equipment that comes in but all the different models. For that reason, we need to address this in a more responsible manner as government, because we need to know that when you're dealing with propane, natural gas or oil,

these are fuels that can actually cause a fire. They can cause your fire department to be called in the middle of the night, your smoke detectors to go off, or an explosion. I have no problem at all making sure that we have a fuel oil technician's licence or some kind of an apprenticeship program based on those three fuels. I think it's very important that we do that.

There's one other thing that would occur with that. It would allow this new apprenticeship to actually fall into line for the apprenticeship tax credit, for which I gave credit to the government before. I'm a real believer in the apprenticeship tax credit. I've said that a number of times in this House. I believe it could and should be expanded. Even if you don't call this an "apprenticeship," it should be expanded into this particular area because we need to get young men and women involved in this trade.

It's not an easy trade. When people wake up in the middle of the night in rural Ontario or even in large urban areas and they have no heat and there's no supplementary type of heat in the house, they need to know that they can call someone who can come out on an emergency basis, and when they come out on an emergency basis, they need a truckload of equipment and parts to fix all these different models of furnaces and units we use to keep our homes and buildings warm.

So I think it's really important that more attention be paid to this particular area. I think, even today, the folks in this area are very well paid because they're in short supply. Two of my constituents, and good friends of mine, Calvin Bell and his wife, Patty, have an oil burner service up in Orillia. He was in to see me a week ago saying, "What am I going to do for help?" He started teaching the oil burner class at Georgian College, trying to get people who would take the course and become licensed. I told him about Laurie Scott's bill. I said, "This is what I think should happen. I think it should be a full apprenticeship." Surely with the technical knowledge that's required in this particular area, not only your skills in working with oil, natural gas and propane but working with electronics—it's unbelievable. Most people wouldn't understand just how many parts are safety features on this equipment that is being installed today. It's not something where you can go out like in the old days and change a gas valve and the furnace starts up again. There are a number of parts and safety features that have to be checked out. I think it's important that the government and the ministry take a responsible role in making sure that this type of certification or apprenticeship takes place.

I commend Ms. Scott for doing this. I think she's showing real leadership in this area. Obviously she's been talking to some constituents in her riding who have probably brought this to the forefront because they've got concerns. In a large rural riding like Haliburton–Victoria–Brock, you're going to find literally thousands of homes heated by oil, propane or natural gas. They're spread out over hundreds and hundreds of miles, and we need to know that in all of these communities, especially in a climate like Ontario's, we have the expertise avail-

able across the province to actually have those folks available to go out and repair our furnaces and our air conditioners etc. when they break down. There is no question that there is a shortage today, and I think it's because we don't have the credentials of an apprenticeship behind their name. It's a step in the positive direction. This is a private member's bill that should pass. There are a number of them in this House, and I've said over and over again that in a lot of cases the best legislation we have in Parliament comes from private members' hour. This is one of the bills that I think should be supported by the minister, should be supported by all the stakeholders in the fuel oil industry, and as we move forward, it could help create jobs and it would expand a very valuable service in Ontario. So I applaud her.

I also wanted to pay recognition today to Scott Andison, who is here and used to work at one point with Ms. Janet Ecker when I did the study on apprenticeship training, vocational and technical training in Ontario. It was Scott that helped me out a lot with it. It was nice to see him move on to another field, and I'm glad he's here today to support this piece of legislation, because I think it's important that we carry on with it.

Just to sum up, because I'm going to leave a few moments for Mr. Arnott, who wants to speak to this bill, it is important as a safety issue here. Jobs are one thing, but when we're dealing with the kind of equipment that is heating our homes today, we need to know that the people who are repairing the equipment in the middle of the night and on weekends—they have a tremendous amount of money invested in their trucks and parts that are on those trucks—are properly qualified. Not only that, but when you have the apprenticeship program, it allows them to take on a partner and train them as they go. That's so important: for a 50- or 55-year-old guy to have a partner with them, to be able to train that person on oil burners, on natural gas, on propane, and then to have proper schooling, to go seven or eight weeks a year, three separate times, that's important as well.

This is a win-win bill for the whole industry, it's a win-win bill for the citizens of our province and it's a win-win bill for Ms. Scott, who I think deserves a lot of credit for bringing this bill forward, and I appreciate this opportunity today.

**Ms. Andrea Horwath (Hamilton East):** I must admit that in preparing for this debate on Bill 191, I had to acknowledge the fact that this is an area I don't know very much about. One of my most serious incidents when it came to these kinds of issues was about 15 years ago when I bought my first home. It had been a duplex, and my sister was going to live in one section of it and myself and family were going to live in the other.

We moved in and were getting boxes moved around, and different things were happening. In the kitchen we had some things piled up in a corner, going through the process of unpacking boxes, and these ones were near the end. They were in this corner, and I didn't notice, but there was a pipe sticking up from the floor. I noticed it there, but I didn't think anything about it. I figured it's a

pipe sticking up from the floor, it's an older home and maybe wherever the renovations had been done in the past that pipe just didn't get dealt with appropriately.

Well, little did I know that it was a live gas pipe that hadn't been capped off. We found out about three months later when everything was moved away and this area became a place where we would put our shoes, coming in from the back door into the kitchen. I guess someone's boot had hit the valve and the gas started leaking out. I had no idea it was a live gas pipe, I had no idea this was a problem, and of course, all of a sudden, one evening we started to notice this odour in the kitchen. I thought, "Where is that coming from? We don't have a gas stove." It was an electric stove. I'm looking around thinking, "It doesn't make sense. It's crazy. The furnace room is downstairs where the furnaces are. I don't understand why there would be gas in the kitchen." Sure enough, it took me about 20 minutes to discover that this was a live gas pipe, and at that time I was a smoker—I'm no longer a smoker. My hubby was a smoker; he unfortunately still is a smoker. It was just by the grace of God that we didn't have a serious, serious problem. When I called the gas company to come and deal with this issue, they were shocked that it hadn't been addressed, that this live gas pipe had been sitting there in a corner not capped off. Lord knows for how long. I would surmise that the unit I was living in, the building, had been owned by a landlord who was renting out to tenants for I don't know how long. I would suspect that the previous tenants had no idea there was a live gas line there.

1130

I think that story reflects the need for this bill that was brought forward today by the member from Haliburton-Victoria-Brock. I have to congratulate her because she provided members with quite an extensive package of information to help us get an understanding of the importance of this bill and what was motivating her to bring it forward. As someone coming into this debate, not having a lot of background in the area, it wasn't difficult to get up to speed fairly quickly, because she provided this excellent package and an excellent outline of the current system, the problems with it and how Bill 191 provides a solution by taking a patchwork system of training, a patchwork system of technical certificates, through the safety system, the safety association, and bringing all of those pieces together for a more systemic approach to this particular area.

When you look at the divergent types of support that the member has been able to obtain for this bill, it shows that not only has she done her homework, but she's prepared a bill that addresses not only small business and small entrepreneurs within HVAC or within the fuel oil industries, but also the larger players, the individuals, the students, the unions, and further to that, the support of the colleges. To that end, I did have an opportunity to meet not too long ago with the college in my local area, Mohawk College, the leadership there, and spent some time talking about the lack of attention the provincial government is giving to the whole field of apprenticeship



and how trades need to be more specifically targeted by government. Apprenticeship programs need to get more support and more recognition as a niche that we need to fill in terms of the educational continuum.

I'm pleased that I had a chance to be here to speak to this bill. I think it is important to recognize that it's not just a matter of taking that patchwork and coalescing it into a reasonable and recognized apprenticeship program that will benefit all, but it's also a matter of making sure that the pieces that relate to public safety are organized, that they are much more stringently put in place through a blanket apprenticeship program as opposed to the way things are currently done through the achieving of various licences and certificates. With a patchwork it is easier to fall through the cracks. As Mr. Dunlop was indicating, that's how mistakes happen. If there are assumptions that people have certain amounts of information or certain skills or ability or training when they are going to get one certificate or another, and lo and behold, they're faced with a situation where they really don't have what they need in their pocket to address it, but because they have these other pieces, perhaps they're going to undertake a job or a piece of work that is not really in their field or in their expertise. That is a problem that will be solved by this particular bill—not just the bill, of course, but the implementation of a program for apprenticeship training in this particular field.

I have to say that there has been some discussion about the extent to which there is a skilled trade shortage, and I think that there is a bit of a disagreement in the industry, depending on whom you're talking to, as to whether or not there is a skilled trade shortage or in which areas of skilled trades a shortage may or may not exist. I'm glad to hear that the Communications, Energy and Paperworkers Union of Canada is supportive of this initiative. Again, it shows the breadth of consultation that was done by the member who introduced the bill. But I have to say that I've attended some meetings of our local building trades council, the Hamilton-Brantford Building and Construction Trades Council—in fact, every year I attend their district executive meetings—and I have found that there is some concern in the trades as to whether or not a massive shortage of skilled trades actually exists. They would say that it doesn't. They would say that for the most part there are many, many skilled trades workers out there, and they have some concerns about overstating the shortage issue and perhaps leading to a glut in their market and a downward pressure on their wages. That would be one of the concerns that was raised with me by the Hamilton-Brantford Building and Construction Trades Council in regard to whether or not a trade shortage exists.

That aside, the fact that this particular piece of legislation provides an opportunity to ensure that workers or apprentices or people who want to get into the area of fuel oil, of HVAC systems—all of that—have an ability to do that in a recognized and methodical way that gives them the supports and the required body of not only technical information but safety information, is invaluable. I

will be supporting this bill because I think it's definitely the right way to go. I would only caution that it's not just a matter of a shortage in trades; it's a matter of making sure that the opportunities are available in a way that is seamless but also in a way that emphasizes safety, not only for the public but for workers who get into these trades and workers who are working alongside each other. I think it's extremely important.

With those comments, I wanted to congratulate the member from Haliburton–Victoria–Brock for bringing this bill forward, for providing such an extensive package of information for members to be able to get up to speed, and for doing the homework that needed to be done to make sure that not only small business but larger industry representatives, colleges, unions and people interested in the safety aspects of the industry are all on side. Congratulations to the member on that, and I look forward to the passage of this piece of legislation.

**Mr. John Wilkinson (Perth–Middlesex):** I'm pleased to also join in debate today. I want to echo the comments of other members of our caucus, particularly the parliamentary assistant to the Minister of Training, Colleges and Universities, the member from Peterborough, who stated that he and the minister and of course all of our caucus are in support of this great piece of legislation, this private member's bill that's been brought forward by our colleague Laurie Scott, the member for Haliburton–Victoria–Brock. I would echo what we have been saying about how we appreciate the fact that you have brought this forward for us to debate today.

I must admit that what goes around comes around. I know that the good member from Haliburton–Victoria–Brock supported my private member's bill, which is now law, in regard to protecting firefighters, paramedics and police officers. I appreciated her support, and the mere fact that she came to me and asked for my support told me it would be a good bill. We look forward to supporting it this morning.

**1140**

The thing I want to talk about is that I had very little understanding of apprenticeships and training when I came here 19 months ago. My background is more financial. I tell people that I come from a long line of pen pushers. I was never one who was handy; I was never one who understood the great joy that people have in the vocation they have to be in the trades. The only thing I've learned is this tremendous shortage that we have in skilled trades, as the member from Peterborough was alluding to. So how do we change that? What we have to do—and I give credit to the Minister of Finance and the Minister of Training, Colleges and Universities—is invest in our young people, open up those possibilities, and also continue through in the whole post-secondary world, which includes training and apprenticeships and colleges and universities.

I want to talk about something called OYAP, the Ontario youth apprenticeship program. It's a remarkable program that I was exposed to, along with Minister

Kennedy, our Minister of Education, when he came to visit Stratford. This is a program that exposes our elementary students from grades 6 through 8 to the trades. It's a mobile program. It's in a great big kind of U-Haul truck that is moved from site to site, from school to school. It's set up within the school and the kids are able to see, touch and do things that people do in the trades. Whether it's to solder or to saw, whether it's to do computer-assisted design, all of these things are there, and what we have to do—and I agree with the member from Peterborough—is explain to our young people that there are gold-collar jobs in training and in the apprenticeship program, which is how one becomes a skilled tradesperson in this province.

How do we expose that? To be fair, and speaking as a parent, we've allowed a culture to develop where somehow it's just the university track that we want our children to be on. But we know that there are great-paying jobs for people, for all types of people. How do we do that? We obviously have to expose children to the trades and we have to let them know that there's a career for them if it is their vocation, if it is their calling. We can't dismiss that. There are so many great tradespeople, and for hundreds of years, if not for the last millennia, what has developed in the trades is the whole idea of the master training the apprentice, one on one. That's how these great traditions are passed on from generation to generation. Somehow, in this country and in this province, I think we've lost some of that focus, and we need to bring that back.

It's not just a matter of money. It's a matter of changing culture, but money is important as well. I'm proud to be part of a government that has raised the profile but also has raised the financial allocation that we give to training. I know that we were particularly proud, of course, yesterday that the Minister of Finance announced in this House that, despite all the money that we have earmarked and are moving toward training and apprenticeship, there is an additional \$17.5 million that we'll be flowing through to 2007-08. Again, to make sure that these opportunities are there, our economy depends on skilled tradespeople. It depends on them. We used to have them come in by way of immigration. That isn't happening in the numbers required to build a strong and prosperous economy.

I am proud to support Bill 191 and my friend from Haliburton–Victoria–Brock. I think our caucus and all caucuses are looking forward to supporting this bill as it wends its way through the legislative process.

**Mr. Ted Arnott (Waterloo–Wellington):** I'm very pleased to have the opportunity this morning to speak in support of Bill 191, An Act to amend the Apprenticeship and Certification Act, 1998, that has been brought forward by the member for Haliburton–Victoria–Brock.

First of all, I want to congratulate and commend the member for this exciting initiative, which is her first private member's ballot item. I think it shows the thoughtfulness that she brings to her responsibilities as an MPP. She walked into this place in 2003 as one of two new

members of our caucus, and that was no small victory because that was a challenging election for us, as members will recall, in 2003. To have two new members come in to join our fold was very, very exciting for us. She's done an extraordinary job.

She and I have something in common. When I came in here in 1990, I had huge shoes to fill, because I was following behind a member who was widely respected, and I would say that his constituents thought of him with a great deal of affection. That was Jack Johnson. I had worked for Jack, and I knew that I had huge shoes to fill. She came in here, following well-respected MPP Chris Hodgson, and of course following in the distinguished service of her father, Bill Scott, who was a member of Parliament for many, many years too. So she's done a great job and has been a great addition to our caucus. I think this bill she brings forward today, which is intended to establish a committee "known as the fuel industry technician advisory committee for the group of trades or occupations consisting of the activities for which a person is required to have a certificate under Ontario regulation 215/01 made under the Technical Standards and Safety Act, 2000, in order to carry on those activities. The committee has functions that are similar to those of committees that the minister is allowed to establish under section 5 of the Apprenticeship and Certification Act."

In English, that means she is seeking to establish an advisory committee that will allow for a new apprenticeship program for people working in the fuel industry. I think she is motivated by reasons of safety, and also following through on ideas that have been brought to her attention by her constituents.

I know this bill is needed and that most members of this House support it. It's interesting. When you look at the way people heat their homes and cool their homes, there are a number of options. Recently I had the opportunity as the MPP for Waterloo–Wellington to attend the opening of NextEnergy's geothermal facility in Elmira. I'm pleased the parliamentary assistant to the Minister of Energy is here in the House right now. She was there, present as well. I want to congratulate NextEnergy for their new facility, 25,000 square feet. Their building is a zero-emissions structure because it generates its heat and cooling from the ground, from geothermal technology. It's a very exciting new business in our area.

I want to take a moment to talk about the provincial budget, because we're meeting today and this is the first session of the Legislature after the provincial budget. Clearly the government wanted, as much as possible, to present a good-news budget leading up to the federal election. Last year, of course, they brought forward a new health tax, contrary to their campaign promise, which absolutely hobbled their federal counterparts going into the federal election. That budget last year was responsible for the loss of a significant number of federal seats for the Liberal Party, and arguably was responsible for the creation of a minority government. This time, I'm sure the Minister of Finance wanted to avoid that particular outcome.



The government wants to be seen to be enthusiastic and excited about post-secondary education, infrastructure and health, but we also saw very bad news for our rural communities, the Ministry of Agriculture's budget being slashed considerably. I think most farm families in my constituency of Waterloo-Wellington will feel like they've been kicked in the teeth when they read the papers today about the lack of support for the Ministry of Agriculture and Food.

It's quite clear that the government has written off rural Ontario, is going to focus on an urban agenda for the next two and a half years, and is not going to be seen as advocating for rural Ontario at all. Certainly, in two-and-a-half years, assuming we form the government, we'll have a lot of work to do in that respect.

**Ms. Marilyn Churley (Toronto-Danforth):** I'm pleased to make a few comments on the bill presented today by Laurie Scott, the member for Haliburton-Victoria-Brock, and to congratulate her for bringing it forward.

I noted that she really did her homework on this. In the package she sent, she had letters from various sectors in the industry. I understand that CEP is supportive, and it is absolutely critical. Some of us perhaps might learn the hard way, from time to time, that when you get a good idea and come forward with it without consulting with all the stakeholders, it can get you into more trouble than you can imagine. I see that Ms. Scott did that, and that is very important.

I also will read from the letter Ms. Scott sent to members, asking for our support. I found this very interesting: "A newspaper columnist in my riding commented that Bill 191 contains 'a very straightforward practical sort of idea but is not very sensational' and wondered if we, the elected representatives, would find time to consider its provisions." It goes on to say, "This bill asks us to look at a perennial problem faced by skilled workers who cannot clearly access the training they are required to have, in order to work in their chosen field, and for us to take adequate steps to correct this problem."

Well, I will say kudos to Ms. Scott for bringing it forward, and to us for debating it quite seriously today, because it may sound boring and mundane to some, but this is a very critical bill for a couple of reasons. Access to the necessary apprenticeship and training is critical for those who are seeking work in their field. They're often shut out now because this program isn't there. We hear about that bigger problem in all kinds of professions.

**1150**

I was recently at a meeting in East York where we talked with people from different ethnic groups who came over here being promised all kinds of opportunities and with all kinds of skills, from these kinds of skills on through to doctors, lawyers, accountants, whatever. They come over here and are unable to find work in their chosen field. This goes a small step toward correcting that problem for some of those professionals, and it's really critical.

Originally, I was the minister for what was then known as the Ministry of Consumer and Commercial Relations and was responsible for technical standards. During that time, I was certainly made aware of the safety and consumer concerns when it comes to these kinds of issues.

On the one hand, what this bill does is make sure that those who already have the skills and the training can quickly get into a certified apprenticeship program and get to work in a field where we need these skilled workers, but also the public can be assured and reassured that all those who are working in these kinds of fields, where there can be very serious safety concerns involved, actually have the proper safety training and know what they're doing.

I would also, because we're talking a little bit about fuels here, use this opportunity to brag just a tiny bit, because so few people know this—it's only vaguely related to the bill. When I was Minister of Consumer and Commercial Relations, I brought in the toughest standards for underground fuel storage tanks in North America, to protect our water. It was a source protection water regulation that I brought in. It was known as LUST, actually. People used to make fun of me a lot over that. There were serious problems with leaking underground storage tanks. I worked on that with some from the environmental community, and we brought in very strong regulations around underground storage tanks.

Having said that and getting that on the record, because of course everybody forgets about it by now, I want to again congratulate Ms. Scott for bringing this forward today.

**Mr. Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I'm pleased to join the debate and to affirm the initiative of the wonderful member who is concerned about apprenticeship programs.

On Saturday night, I was with Brother Grimshaw and my friends at the International Brotherhood of Electrical Workers. I go every year to their banquet and awards ceremony for years of service. The highlight of that for those who stay to the end is the presentation for the apprentices and the programs they're part of.

Governments can't be everything to everybody. I think our role is to set the table to be able to seize opportunities to build the kind of strong, healthy, vibrant communities we want. In order to do that, we've got to do some effective planning, certainly in this particular area. I think the member opposite has recognized that our progress as a nation and as a province can be no swifter than our progress in education in the broadest sense.

One of the other members was talking about his concern about his furnace. My gas fireplace went out a couple of weeks ago. I read the instructions, and when I got to the part about, "Be really careful, because if you do this the wrong way, you're going to blow your house up," I knew it was time to call skilled tradespeople.

We're not doing enough historically to ensure that our young people have the opportunities to seize a trade and the skills they need to make the contribution.

My brother went through an electrical apprenticeship program. He always kids about how little money I make. He does some overtime and does really quite well. He contrasts that to some of the bright young people who graduate from law school and article down on Bay Street for a \$26,000- or \$30,000-a-year job, whereas if you're in auto mechanics or one of the skilled trades, you're bringing home \$120,000 or \$130,000.

**Mr. Peter Kormos (Niagara Centre):** Especially if you're unionized.

**Mr. McMeekin:** The brothers and sisters who are unionized of course—

**Mr. Kormos:** But non-unionized tradespeople don't do as well, do they, Ted?

**Mr. McMeekin:** I think that's an excellent point that my friend opposite raises.

The other thing I want to say is that we on this side of the House believe that the best time to repair the roof is when the sun is shining. We know that right now, and I think the member opposite also knows, that the sun is shining in Ontario. We're creating all kinds of new opportunities, and now's the time to seize the initiative because, when all is said and done, when the others tell you what they want to do, I think it's really important to ask them to show you what they've done.

In that context, I'm proud to be able to stand in my place as one elected to this House, who has seen the wonderful potential that finds expression as these young men and women graduate in apprenticeship programs, to say proudly that I'm part of a government that gets it. We're moving forward with a plan to promote future prosperity. We're investing \$37 million to ensure employers have a skilled workforce; another \$20 million to update facilities and equipment at community colleges; \$6 million for pre-apprenticeship programs to assist individuals; another \$6 million to expand co-op diploma apprenticeship programs; and \$5 million to update curriculum standards.

All of the important educational infrastructure work that needs to be done is being done by this government. In fact, it's our intent to add some 7,000 new apprenticeship programs by 2007-08. We're doing that because we know it's important and, from this perspective, we're doing it in a wonderful way because we're working with our partners, particularly the unionized workers, to make sure these programs get off the ground and are successful.

**The Deputy Speaker:** Ms. Scott, you have up to two minutes to respond.

**Ms. Scott:** I would like to thank all my colleagues today who have spoken to the issue of apprenticeship training for the people in the fuel industry: the members from Peterborough, Simcoe North, Waterloo-Wellington, Perth-Middlesex, Hamilton East, Toronto-Danforth and Ancaster-Dundas-Flamborough-Aldershot.

I'd also like to thank all the people who have been instrumental in bringing this issue to my attention in the development of the bill, such as small-business owner

Jerry Walker from Walker's Heating and Cooling Systems in Haliburton.

The HRSDC office in Peterborough laid the groundwork for my introduction of this bill. They highlighted the lack of apprenticeship training in our education system for people working as fuel technicians and requiring fuel industry certificates to work. They carefully described the complex certification process required of people who service natural gas, liquid propane and oil fuel appliances. They talked to me about the difficulty of having employees properly trained and certified to work in this field and how access to training is critical for high safety standards.

Various industry representatives were also helpful and supportive throughout the development of this bill, and I'd like to thank them for their time, advice and support. I mention Scott Anderson again.

Second reading of the bill has occurred at a convenient time. Direct Energy actually graduated its first heating-ventilation-air conditioning apprenticeship program with 10 apprenticeship applications. They predict that a potential shortfall of one million skilled workers by 2020 has been forecasted. So this program that we've initiated is a positive step forward, but it should act as an impetus for our public system. I know that the budget came out yesterday, so I'm hopeful that the apprenticeship sector will look favourably on this bill that I've brought forward.

A special thank you to my parliamentary intern, Bec Sciarra—Bec, stand up in the gallery—for all her hard work on this bill. Thank you very much, Bec.

I look forward to all my colleagues supporting this bill.

## BREAST IMPLANT REGISTRY ACT, 2005

### LOI DE 2005 SUR LE REGISTRE DES IMPLANTS MAMMAIRES

**The Deputy Speaker (Mr. Bruce Crozier):** The time allowed for private members' public business has expired. We shall first deal with ballot item number 67 standing in the name of Ms. Churley. Is it the pleasure of the House that the motion carry? Carried.

**Ms. Marilyn Churley (Toronto-Danforth):** I would like to refer it to the social development committee.

**The Deputy Speaker:** Shall the bill be referred to the standing committee on social policy? Agreed.

## APPRENTICESHIP AND CERTIFICATION AMENDMENT ACT, 2005

### LOI DE 2005 MODIFIANT LA LOI SUR L'APPRENTISSAGE ET LA RECONNAISSANCE PROFESSIONNELLE

**The Deputy Speaker (Mr. Bruce Crozier):** We shall now deal with ballot item number 68 standing in the name of Ms. Scott. Is it the pleasure of the House that the motion carry? Carried.



**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I would request that the bill be referred to the standing committee on social policy, please.

**The Deputy Speaker:** Shall the bill be referred to the standing committee on social policy? Agreed.

All matters relating to private members' public business having been dealt with, I do now leave the chair. The House will resume at 1:30 of the clock.

*The House recessed from 1201 to 1330.*

## MEMBERS' STATEMENTS

### POLICE OFFICERS

**Mr. Garfield Dunlop (Simcoe North):** Let me say for the record how truly disappointed I am that the words "police" and "firefighter" were not even mentioned in yesterday's budget speech. I can read between the lines. This lack of even a single mention of either of these two important stakeholder groups sends a clear signal that law and order is definitely not a priority for the McGuinty government.

Yesterday was the perfect opportunity for the government to act on its promise to put 1,000 new police officers on the streets for community policing. But they blew it—and, strangely, on the same day that clause-by-clause consideration of Bill 128, the grow-ops bill, mysteriously was cut short by the government after only 20 minutes.

This government keeps asking police to do more with less. Bill 128 is a perfect example. The McGuinty government want cops to bust more grow-ops but won't give them the resources they need to enforce the bill.

So I ask again: Where are the 1,000 new officers that this government promised and repromised to fight grow-ops and organized crime, to fight Internet luring and child pornography, to fight guns and gangs, to fight youth crime, and to just plain keep our communities safer?

What kind of a joke of an announcement can we soon expect from the McGuinty government to counteract the damage done to the policing community with this budget? Clearly, the police have lost confidence and respect for Dalton McGuinty and his government. The broken promise on policing continues into the third year of this government. Obviously, our men and women on the front lines deserve much better.

John Tory and the PC caucus will continue to fight for those who protect our communities. We will fight to make Dalton McGuinty keep his election promises.

### POST-SECONDARY EDUCATION

**Ms. Jennifer F. Mossop (Stoney Creek):** I rise today to talk about some of the overwhelmingly positive reaction to the good news shared by Finance Minister Greg Sorbara yesterday with the House in regard to the McGuinty government investing \$6.2 billion in post-

secondary education over the next five years. This government has earmarked \$95 million alone to expand first-year spaces in medical schools. That's up 15%.

This is very welcome news for the college and university students, administrators and educators in and around my riding of Stoney Creek and across the province. Hamilton is a student mecca, and in particular, a mecca for medical students. Hamilton is renowned for its world-class educational institutions in medicine, namely, McMaster University, Mohawk College, the Juravinski Cancer Centre, Chedoke, St. Joseph's and St. Peter's hospitals and West Lincoln Memorial Hospital in Grimsby, which is also in my riding.

Dr. John Kelton, dean of McMaster's Michael G. DeGroote school of medicine, has said that this funding, along with the proposed school of biomedical engineering and medicine, could really change the face of Hamilton. He also estimates the increased funding will translate into 120 more spaces at McMaster.

Dr. Greg Flynn, president of the Ontario Medical Association, has also recognized and praised the McGuinty government for investing to train more doctors. The social and physical well-being of the constituents of my riding and this province will improve from the sound investments and firm commitments to future nurses, doctors and post-secondary students in Ontario.

### AGRICULTURE FUNDING

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** This year, farmers and other rural residents brought their tractors to Queen's Park twice, and three times over have shut down the 401. Rural Ontario fought back against a government that was breaking its back.

But look at yesterday's budget, this government's underwhelming response. In 2004-05, the ag expenditures totalled \$444 million in extraordinary costs, plus \$733 million in the OMAF budget. Yesterday, we found out that the total is dropping by an overall 52% to \$564 million in 2005-06, with zero new spending planned. The bottom line is this government is cutting spending by \$613 million to Ontario's farmers.

You don't need a degree in agricultural economics to know that \$613 million fewer dollars will reap disastrous results. Think of beef farmers, think of tobacco farmers, think of the cash crop and hort. growers. All have been ignored in the budget. These farmers have to plan. Their banks have to plan.

Why is this government not presenting a plan? The agriculture minister is quoted as saying, "We will be there for farmers." Where were you when the budget was drawn up? You are at the cabinet table; your job is to defend our farmers. Why have they been abandoned? The only thing renewed in this budget is this government's dedication to shut out farmers, to shut out rural Ontarians from the support they deserve.

## POST-SECONDARY EDUCATION

**Mr. Peter Fonseca (Mississauga East):** After years of neglect, post-secondary education is getting its biggest funding increase in 40 years: \$6.2 billion. What a great day for higher learning. This funding will not only help students get better access to post-secondary education; it will also ensure that when they get there, they will have smaller classes because of this government's vision and leadership.

Yesterday's budget means more resources for our universities and colleges. It includes an increase in faculty at colleges and universities to accommodate higher enrolment. This will mean that our students will get more face time with their professors, which will help improve student success. The Premier has always said that our people are our best asset. By facilitating better student-faculty interaction, we are improving the student experience and learning support systems.

This is an exciting time, not only for us here in this House, but for the people beyond these doors who work hard each and every day to educate Ontario students. I would like to share this quotation with you: "My colleagues and I are anxious to start training the next generation of doctors, nurses, teachers and entrepreneurs.... This is a very optimistic day for colleges and universities." That is from Michael Doucet, president of the Ontario Confederation of University Faculty Associations.

Ontario's economy is dependent on a skilled labour force and an educated public. Yesterday's commitment to post-secondary education will ensure that Ontario's economy remains strong. Moving forward, these commitments will ensure that Ontario has a strong workforce that is second to none.

## AGRICULTURE FUNDING

**Mr. Robert W. Runciman (Leeds-Grenville):** Yesterday's budget was a devastating blow to rural and small-town Ontario, and a testament to the failure of the Minister of Agriculture to adequately represent this critically important segment of Ontario. Many parts of rural Ontario are now in crisis. The continued closure of the US border has impacted not only beef farmers but virtually everyone in rural Ontario: dairy and cash crop farmers, feed and implement dealers, small business owners and on and on.

Our agriculture minister promised leadership in providing stability to the farming industry, but instead of providing leadership he has furnished failure and surrender. A 23% budget cut in a time of crisis is not only difficult to fathom, it's impossible. I bear no ill will toward Minister Peters—I like him personally—but he has failed to do his job. He sat by while two of his Liberal cabinet colleagues secured \$400 million for a casino in Windsor—almost 80% of the agriculture budget—and then allowed his same cabinet colleagues to gut his budget to

the detriment of thousands of rural Ontario families. The minister must step down.

## PUBLIC HEALTH

**Ms. Marilyn Churley (Toronto-Danforth):** Last night, I attended a public meeting hosted by Paula Fletcher, councillor for Toronto-Danforth, ward 30, and Deputy Mayor Sandra Bussin, councillor for East York, ward 32, where Toronto Public Health reported on the results of a comprehensive health study done in south Riverdale and the Beaches. The results were based on mortality data from 1979 to 1990, cancer cases from 1985 to 1999 and hospital admissions from 1985 to 1998.

Here are some of the things they found. Overall mortality rates were higher in south Riverdale and the Beaches, compared to their respective comparison neighbourhoods. South Riverdale had higher rates of mortality from circulatory and respiratory illnesses than the comparison communities. The Beaches had higher rates of mortality and hospital admissions from circulatory and respiratory illnesses.

These studies were done at a time when the Ashbridges sewage treatment plant was up and running and the garbage incinerator was up and running, as well as other polluting industries.

One of the main recommendations from these results is: "It is recommended that the Ontario Minister of the Environment consider cumulative impacts from new emission sources that add to existing ambient pollution levels before issuing a certificate of approval for new or expanded industrial facilities...."

I would tell the government: Do not bring in the proposed PEC big gas plant; do not allow the burning of garbage, whether it's gasification or any other form. This study speaks loud and clear, and I would ask the government to respect it.

1340

## POST-SECONDARY EDUCATION

**Mr. Brad Duguid (Scarborough Centre):** I would like to take this opportunity to talk about the tremendous and historic investment the McGuinty government has made in post-secondary education in this province.

I couldn't be happier that students at Centennial College in my riding, at the University of Toronto's Scarborough campus just next door in the minister's riding, and around Ontario will now have far more opportunities and far fewer burdens as they pursue their programs of choice.

Our government understands that an investment in post-secondary education today is an investment in jobs tomorrow, which is why we're making the largest multi-year investment in post-secondary education and training in 40 years through Reaching Higher: the McGuinty government plan for post-secondary education. Over the next five years, we will be investing \$6.2 billion more in post-secondary education and training. This \$6.2-billion in-



vestment will mean more access, higher quality and better accountability in post-secondary education in Ontario.

It's clear that colleges and universities around the province agree that, considering the massive cuts to post-secondary education and massive tuition hikes that occurred under the previous Conservative and NDP governments, the McGuinty government's budget provides exactly the support they now need.

I was delighted to hear that Dr. Rick Miner, chair of the committee of presidents of the Association of Colleges of Applied Arts and Technology of Ontario, the association that represents Centennial College and other colleges around the province, had this to say about our investment: "We are certainly pleased to see funding improvements that have been provided by the government. This budget is a major step forward as Ontario colleges strive to produce greater numbers of skilled and highly trained graduates in order to bolster Ontario's economy."

We are very proud of this budget, and we're proud of the investment this budget makes in post-secondary education.

**Mr. Dave Levac (Brant):** Speaker, \$6.2 billion—I said "billion"—the best in 40 years. No wonder Alison Forbes, chair of the Ontario Undergraduate Student Alliance, says, "We're absolutely ecstatic at what they've done for both quality and affordability at the same time," and she's right.

The McGuinty government said education was one of our priorities. Today, the day after the budget, we've proven all those naysayers wrong. After 40 years—30 under the Progressive Conservative Party—we have a government which knows that to ensure economic security for our province, we must invest in education to produce a skilled workforce that can compete and will compete.

To Mr. Tory I say, join with the Canadian Federation of Students, who praised this government for putting money into post-secondary education and operating grants.

Mr. Tory, you said we missed an opportunity. We don't take opportunities like your party. We don't send out \$200 cheques and leave the province with a huge deficit. We manage our resources and invest in the most important resource of all: our children, our youth, our future workforce.

Mr. Tory, please listen to what people are saying and get in touch with Ontarians. Missed opportunity? Pay down credit card debt? That's what you say, Mr. Tory. I'm here to tell you that the budget is giving opportunity to Ontarians. We are paying down the credit card debt that your party left behind. Just sit back and watch the ride, Mr. Tory.

## ONTARIO BUDGET

**Mr. John Wilkinson (Perth—Middlesex):** I rise today to speak about the historic budget that the Minister of Finance delivered in this House yesterday.

The budget marked a turning point for Ontario. Post-secondary education, health care and infrastructure had suffered through years of government neglect in this province, a fact confirmed by the departing member for Whitby—Ajax last night on Studio 2. The budget extolled Liberal values. We believe in quality education that is accessible to everyone. We believe in medicare as part of the foundation of what it means to be Canadian. We believe in and practise fiscal responsibility every day. The budget reflected all of that, and we're proud of it.

In fact, not only are we proud of it, the leader of the official opposition endorsed our budget yesterday, and I wanted to thank him for it. But it seems that it took him until this morning to decide he was opposed to what he said last night on CBC TV.

I've never heard a politician talk so much and say so little. I think the visiting member for Dufferin—Peel—Wellington—Southgate will speak to the budget this afternoon and clarify for us all the evolution of his multiple positions.

I think John Tory finally understands that Ontarians don't want to see slash and burn; they want a balanced approach. We're moving Ontario forward, and while he may be a little bit tentative as he jumps on and off our bandwagon, I'm glad he finally has, I think. This government is building a better future for our citizens. We know that the balanced approach we're taking is the right one. John Tory knows that as well, I think. I look forward to the Tory caucus helping us pass the budget legislation just as soon as possible, I think.

## MOTIONS

### COMMITTEE SITTINGS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I believe we have unanimous consent to move a motion without notice regarding the standing committee on the Legislative Assembly.

**The Speaker (Hon. Alvin Curling):** Do we have unanimous consent, as requested by the government House leader? Agreed.

**Hon. Mr. Duncan:** I move that in addition to its regularly scheduled meeting times, the standing committee on the Legislative Assembly be authorized to meet on Monday, May 16, 2005, for the purpose of considering Bill 133, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act in respect of enforcement and other matters.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### POST-SECONDARY EDUCATION

**Hon. Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** Welcome to a new era for post-secondary education in Ontario. After well over a decade of neglect, we are turning the corner and Reaching Higher by investing in the skills and potential of our people.

Reaching Higher: the McGuinty government plan for post-secondary education represents \$6.2 billion in new investments. It is the largest multi-year investment in 40 years for Ontario's higher education system.

Our plan will mean improved financial assistance for 135,000 college and university students, through the most significant improvements to student aid since the Ontario student assistance program was established in 1978.

It will mean tuition grants for 32,000 students from low-income families who are in their first or second year of study at a college or university. It will mean more higher education opportunities for traditionally under-represented groups. This includes aboriginal students, students with disabilities, francophone students and students who are the first in their family to attend a college or university.

We will create 7,000 new apprenticeship opportunities every year by 2007-08. There will be more opportunities for new Canadians to contribute fully to the success of our province, thereby maximizing Ontario's economic prosperity.

Our plan will mean that by 2009-10, 14,000 more Ontarians will be able to pursue graduate education each year. It will mean more affordable and accessible graduate education through the creation of a \$100-million graduate fellowship endowment. It will also mean a better educational experience for graduate students through the establishment of new university faculty chairs for research.

Students will have more interaction with professors and instructors, improving their overall post-secondary experience through the addition of 3,300 new faculty members. Students will enjoy a safe and healthier learning environment through an immediate \$200-million investment to better repair and maintain college and university campus buildings. College students and apprentices will have an enhanced learning experience through a \$50-million investment in new equipment. Pathways for students will be improved through increased collaboration between Ontario's colleges and universities.

The proposed new Higher Education Quality Council of Ontario would undertake research in areas such as access and quality, track performance in the post-secondary education system and advise the government on how we can achieve better results.

1350

There will be greater openness and transparency through the proposed inclusion of universities under the Freedom of Information and Protection of Privacy Act, and the proposed Private Career Colleges Act would strengthen the private career colleges sector and provide better protection for its 38,000 students.

This historic investment our government is making in Ontario's future prosperity is even more significant when it is considered within the context of the fiscal challenges we face as a result of the legacy of the previous government.

With our plan to reach higher, we are charting a much different course for post-secondary education than the one chosen by the previous Conservative and NDP governments. They failed to recognize that the future prosperity of the province of Ontario depends on the skills and knowledge of our people. They cut operating funding, leading to fewer faculty and larger classes. They put a greater share of the cost of post-secondary education on the backs of students. Over the 13 years of Tory and NDP rule, tuition fees in Ontario nearly tripled, while student assistance became less accessible.

Last year, the McGuinty government made history in Ontario by freezing tuition fees for two years. And we will sit down with our students, our colleges and our universities to develop a longer-term tuition policy framework for implementation in September 2006.

This historic investment in postsecondary education is essential to the future prosperity of our province. We know that it is a knowledge-based economy, and it is our greatest strength that we are supporting: our people.

With Reaching Higher, the McGuinty government plan for post-secondary education, our students win, their families win and Ontario's economy wins.

### EDUCATION FUNDING SUBVENTIONS DESTINÉES À L'ÉDUCATION

**Hon. Gerard Kennedy (Minister of Education):** The McGuinty government has demonstrated throughout our mandate to date that we not only support our publicly funded education system; we stand for it. Our Premier is working hard to be the education Premier. We believe that our government and our province can only be successful if students are successful first. That is why yesterday's budget included another significant investment in publicly funded education, even in a time of significant fiscal pressure. Within the next school year, we will have met 100% of the value of funding improvements that Dr. Rozanski called for during the last government.

Those dollars were hard to find, but Ontario's publicly funded education system has been at a crossroads. After years of cuts by the previous government, we are making the tough decisions needed to ensure that we can invest



in our students and our schools once again. And we are investing wisely.

Après les dernières années de coupures effectuées par le gouvernement précédent, nous prenons les décisions difficiles qui s'imposent pour pouvoir investir une nouvelle fois dans nos élèves et nos écoles, et nous investissons sagement.

The budget includes new money to keep reducing class sizes in the early years so our youngest students don't get lost in the crowd; to hire new specialist teachers for music, the arts and physical education; and to provide more training and resources for our elementary teachers so they can help students improve in reading, writing and math.

Our ongoing education investment also means that all high school students, particularly those who are struggling, will get the help they need: more teachers to work with students who need extra assistance; student success leaders in every school board; lowered class sizes; more flexibility so the system can adapt to meet students' needs; more innovative projects to improve graduation rates and reduce dropout rates; and expanded technological education programs.

We have an obligation to ensure that all Ontario students, particularly those in small rural communities, have an equal opportunity for a quality education. We have set aside money in this year's budget to help keep small schools open and more to help them to flourish.

We also know that students can't learn in crumbling schools. We are providing school boards with the funding they need to repair, expand and replace schools.

But the progress of all our initiatives that I've just described hinges on one thing: peace and stability in our schools. For the first time in a long time, Ontarians have a provincial government that is working in partnership with teachers, education workers, school boards and all those who are part of the education sector.

This approach has led to a framework to assist successful local agreements between the Elementary Teachers' Federation of Ontario and the Ontario Public School Boards' Association.

We also have an agreement on a provincial policy that provides a framework to assist successful local bargaining between school boards and public English-language high school teachers. The framework provides for fair and reasonable salary increases and four-year contracts. More importantly, it promotes a shared agenda of improvements and stability for students.

There is much more to do. A strong, publicly funded education system is the key to unlocking potential and building an even brighter future for our students.

Un système d'éducation financé par les deniers publics est la clé pour développer le potentiel des élèves et à bâtir un avenir encore plus brillant pour eux.

The budget confirms the commitment of our Premier and our government to an Ontario education advantage. It continues to be this government's first priority.

Je vous remercie.

## HEALTH CARE FUNDING

**Hon. George Smitherman (Minister of Health and Long-Term Care):** It is with great pride that I rise in my place today to say a few words about the budget that my colleague Finance Minister Sorbara delivered yesterday and the impact that it will have on health care in this province.

Let me start by saying what is obvious: It was a great budget, and it will do a very great deal to improve health care.

We, on this side of the House, share a vision with the people of Ontario of a great health care system, one that helps keep Ontarians healthier, delivers good care to them when they get sick, and will be there for their children and for their grandchildren. The budget my friend delivered yesterday is going to help make that vision a reality.

Our plan for health care operates on three fronts, three deliverables, if you will, by which we and the people of this province can measure its success: healthier Ontarians, better access to nurses and doctors, and reduced wait times.

The budget contains many investments that will help make Ontarians healthier.

We're making a record investment in home care so that Ontarians can receive the dedicated, compassionate care that they need and deserve in the comfort of their own homes. Our funding this year will help an additional 45,000 acute care clients who would otherwise have had to receive care in a hospital.

We're making a 20% increase in funding for community mental health services, a critical part of our health care system and one that was all too frequently overlooked by previous governments. Our investments this year will help an additional 34,000 patients.

We're continuing the revolution in long-term care with a 10% increase to fund 700 new beds and the continued hiring of new staff that was begun last year.

We've made great progress in the past 19 months in improving the access Ontarians have to nurses and to doctors. Yesterday's budget certainly continues that trend.

We're increasing medical school enrolment by a further 15% over the next four years. That's 104 new undergraduate positions by 2008-09.

We're also investing more than \$16 million this year to increase family residency positions. By 2007-08, we will have trained 340 more family doctors in Ontario who will provide care to some 400,000 Ontarians.

We're creating seven new community health centres and five new satellite community health centres this year, and we're going to continue with the creation of 150 family health teams that we began last month. These groups of doctors, nurses and other health professionals are going to deliver the best kind of comprehensive care to thousands and thousands of Ontarians, many of whom might previously not have had access to a family doctor. We have increased funding for our hospitals by 4.7%, or

more than half a billion dollars. More importantly, perhaps, we have for the very first time introduced multi-year funding, something hospitals have told us for decades that they need.

#### 1400

All of these investments—in hospitals, in family health teams and community health centres, as well as in community mental health and home care—will result in more jobs for nurses as we continue to build on the 3,052 full-time nursing jobs that we funded last year, 2,402 of which have already been created. We're still waiting to hear back on the 600 long-term-care jobs and 50 community health positions that we have funded.

Last year, we launched our wait times strategy, intended specifically to reduce wait times in five key areas: cancer care, cardiac procedures, cataract surgery, hip and knee replacements, and access to MRI and CT exams. This year's budget continues this strategy with funding for a total of 81,400 new procedures—more than a 10% increase in these areas.

By the end of 2006, our wait times Web site will have complete and regularly updated information on wait times across our province, giving Ontarians a clear sense of how long they have to wait and, more importantly, how long it is acceptable for them to have to wait for these procedures—building a wait times strategy that previous governments failed to do.

The changes we're making in health care—the improvements we're making, the system we're building—are not going to happen overnight. But we are making clear and dramatic progress, progress Ontarians can track and can measure. The budget we introduced yesterday is going to allow us to continue to do so, and I am very proud of that.

### INFRASTRUCTURE PROGRAM FUNDING

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** Today I rise to inform the House about our government's exciting plans to launch a renaissance in public infrastructure, to strengthen the people of the province of Ontario by investing in their skills, their health and their prosperity. My colleague Minister Sorbara highlighted this unprecedented initiative in his budget yesterday. Now I intend to outline the next steps we will take to the members of this House and to the people we all have the honour to serve.

I've spoken in this place before about the urgent need to renew our public infrastructure across all parts of our province. For many years, of course, past governments have neglected this critical element of our society. Roads and bridges are crumbling, universities and colleges must improvise to accommodate the crush of new students, water and sewer systems need to be modernized, and many of our hospitals and health care facilities are out of date or overcrowded. We must now prepare to accommodate the millions of new people who will settle in Ontario over the next quarter century.

We know that massive investments will be required to meet these needs, and the status quo is simply not an option. Our government is prepared to make those investments, using a made-in-Ontario approach that puts the public interest first. Yesterday's budget showed the initial steps that we're taking.

Over the next five years, more than \$30 billion will be invested in public infrastructure in Ontario by the government and its partners. These investments will reflect our key priorities in health care, in education and in the infrastructure that supports and sustains our economy. All of the \$30 billion worth of infrastructure will be paid for with public dollars. The financing of some large projects will come from the private sector, but all of that financing will be repaid from public funds over time. It makes good public policy and fiscal sense to pay for our infrastructure as we use it over its useful life. All major projects delivered through alternative financing procurement models will be subject to the principles and the rigour of our infrastructure policy framework: Building a Better Tomorrow.

What is the makeup of the \$30-billion investment plan for the next five years? The largest component is the province's own gross capital investment. This represents some \$18 billion and will be invested in key government priorities. It will include renewing and modernizing hospitals, upgrading and expanding our highways and transit systems, new affordable housing, support for key infrastructure in northern Ontario, and municipal water systems, bridges and roads right across the province. It also recognizes the federal government's partnership-based investments that flow through the province's books, which we expect to total some \$2 billion over the next five years.

The government also supports infrastructure renewal and expansion through operating grants to transfer partners, such as school boards and long-term-care facilities. This represents an additional \$5.4 billion. The government will also provide financial support for the Places to Learn initiative and undergraduate, medical and graduate school expansion at the universities. This will support investment of up to \$4.8 billion. Our commitment to provide municipalities with gas tax revenue intended for public transit infrastructure to improve service and increase ridership adds an estimated \$1.4 billion. We estimate major alternative financing and procurement projects investment in the order of \$2.3 billion. This will bolster our investment for infrastructure improvements to large-scale hospital, justice and other projects.

This totals more than \$30 billion. And as the budget said, we are reviewing major government assets. We are committed to directing any net proceeds generated from asset sales to infrastructure as a first priority.

For the first time in our history, this government will soon be releasing a detailed plan, reaching to the year 2010, that shows how and where we will build the public infrastructure that sustains Ontario's economic success and, importantly, how we will pay for it.



I will say more about the government's five-year infrastructure plan in future statements. It implements important reforms in the methods we use to plan, build, finance and operate public infrastructure. It extends the processes described in Building a Better Tomorrow, the financing and procurement framework I released last summer. It encourages participation by the private sector—financial institutions and pension plans—in the financing and delivery of public infrastructure under the proper conditions and, of course, subject to the appropriate controls.

In the past, we have been stuck with the traditional view that government, and only government, finances and delivers infrastructure using current revenue, and that's part of the reason the infrastructure deficit has grown. We intend to vigorously pursue alternative financing and procurement strategies. These strategies will allow us to take advantage of private sector capital, such as pension funds, expertise and efficiencies, to do far more in the next few years than we have in the past, and to do it on time and on budget.

Design innovation, quicker and higher quality construction, operational efficiencies and the risk of the private sector suing for cost overruns and late delivery can more than make up for the higher interest rates. The end result is that the private sector can often deliver projects that represent better value for the province, and that is what we are most concerned with: better value for taxpayers, not just lower rates.

Research done by the UK Treasury revealed that 88% of projects using alternative financing methods came in on time and on budget or early.

**The Speaker (Hon. Alvin Curling):** Responses?

#### POST-SECONDARY EDUCATION

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased to have the opportunity today to respond to the statement made by the Minister of Training, Colleges and Universities, as well as the statement by the Minister of Public Infrastructure Renewal.

The budget's announcement of more resources for the post-secondary sector is a welcome investment, but the previous government, we have to say, launched the largest expansion in colleges and universities in the history of Ontario, with 135,000 spaces being added. The minister's statement still falls short of the recommendations the Rae report gave, and I know student groups are anxious to see what's coming next on their tuition and how to fix the student aid system.

As with many of the financial announcements made by this government, this one is back-end loaded. This means you do not have to find the financial resources until some date further down the road. This should cause some small amount of concern, because your government can easily change its plans three or four times, as we've seen with your deficit reduction plan. You have really provided only a hint of future plans. There's no indication of how you plan to measure the implementation.

#### INFRASTRUCTURE PROGRAM FUNDING

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I know my colleague from Erie–Lincoln would have liked to have been here today to respond to the statement by the Minister of Public Infrastructure Renewal. If he were here today, I'm sure he would have been amused to hear the government's current support of P3s. It was not long ago the Premier himself said, "I'm calling on Mr. Eves to halt any contract signing when it comes to P3," private-public partnerships, "in the province of Ontario." He couldn't have been clearer about where he stood. Even the Liberal campaign material said, "We will end the Harris-Eves agenda of creeping privatization."

Not that we think it's a bad thing that the government has finally recognized the need for—

**The Speaker (Hon. Alvin Curling):** Stop the clock, please. There were four statements by ministers, in quite a good time. The opposition has four minutes in which to respond. I would like for that response to be respected as much as the ministers' statements were respected in the required time.

**Ms. Scott:** Thank you, Mr. Speaker. I will just finish up by saying, here we have again no money, no timetable and no commitment from this government.

1410

#### EDUCATION FUNDING

**Mr. Frank Klees (Oak Ridges):** In response to the statement made by the Minister of Education, much has been said regarding investment in infrastructure in our education system. Much has been said about providing billions of dollars for salary settlements.

What I'm disappointed in is what I didn't hear, and many Ontarians will be disappointed in that. We heard the minister refer to the Premier as the education Premier. What was not contained in this budget was a commitment to stand behind the promise that this Premier made when he was campaigning for votes. That is that he would provide support for autistic children beyond the age of six. We can talk about infrastructure; we can talk about bricks and mortar; we can talk about providing money to satisfy collective agreements. But until this government meets its obligations to the children of this province and indeed supports their commitment to supply and provide an education equally for all children in the province and that they should include children with autism in that commitment—until that day is here in Ontario, this government has no credibility.

#### HEALTH CARE FUNDING

**Mr. John R. Baird (Nepean–Carleton):** I'm rising in response to the comments made by the Minister of Health. The Minister of Health talked about what a great budget yesterday was for health. I looked at the two institutions closest to my constituency with respect to

health care, that is both with respect to the Queensway Carleton Hospital and the Ottawa Hospital and the looming cuts at those hospitals. The Ontario Hospital Association came out and put the truth to this minister's comments when they said it was disturbing and it was appalling with respect to this announcement for hospitals.

In a budget that almost reached \$80 billion, there was only \$100 million of new money for hospitals. What will that mean for the average nurse working at the Queensway Carleton Hospital? It will mean that they will be further stretched, they will face further workloads, and that will affect patient care.

In fact Hilary Short, the president of the Ontario Hospital Association, was concerned most about the patients and patient care. This minister personally signed the pink slips for 757 nurses this past year—757 nurses who had their positions eliminated and who were on the unemployment line. I talked to the Ontario Nurses' Association, and they said this minister broke faith with his word and commitment. If I have a choice between believing the Ontario Nurses' Association or George Smitherman, my money will be with the nurses 10 times out of 10. We had hoped that this minister would announce and make hospitals a greater priority. Regrettably, he did not. Shame on him.

#### POST-SECONDARY EDUCATION

**Mr. Rosario Marchese (Trinity-Spadina):** I will remind the Minister of Training, Colleges and Universities that Ontario, the richest province in Canada, is ranked 10th in funding for colleges and universities. That's not a great record for us. We need \$1.3 billion to get to the national average, let alone be on top. To get to the national average, we need \$1.3 billion. So while you boast about your \$578 million as a big deal, in my view it is the least you could be doing to help those struggling institutions, colleges and universities, so that we are helped by this investment and so that the economy that so desperately needs these institutions gets the money it needs.

#### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity-Spadina):** As it relates to the Minister of Education, I would quote Gay Stephenson, the research coordinator for People for Education, who said the following:

"There is funding for new initiatives, but the new programs are being added to a shaky foundation. There is little in the budget to help the 14,000 students in schools slated to close; the funding gap between actual costs and the benchmarks set in the formula has not been addressed; and the number one recommendation from the Rozanski report has yet to be implemented." I will leave it at that.

I want to speak to something else. Where are the big winners in this government that are getting whacked by McGuinty and Minister Sorbara? Why aren't they stand-

ing up to talk about their great winnings? Here is one of them: The Minister of Agriculture and Food is about to lose \$200 million. They are going to get a 23% cut. Why isn't he standing up here to talk about this great whacking they are getting? Why isn't the Minister of Culture standing up as the big winner who is going to lose 11% of her budget? Why are the other ministers standing up and not her, saying how proud she is to get whacked by an 11% cut? The minister of native affairs is going to get whacked as well by a 22% cut, and the Minister of Tourism and Recreation by another 11% cut. Why aren't these big winners standing up today to talk about how good it is to get whacked?

#### INFRASTRUCTURE PROGRAM FUNDING

**Mr. Michael Prue (Beaches-East York):** My comments are directed to the minister of infrastructure. Last night I had an opportunity to debate your colleague, the Minister of Economic Development and Trade on TVO. He had a very hard time explaining your policy on how you are going to get the money. He had an even harder time trying to defend it, because he agreed that it's going to cost more money.

Today I listened to your statement, and you have admitted that it's going to cost more money to borrow through private governments. You have also admitted that, over time, the public is going to have to pay back those private institutional lenders even more money than you are getting from them, the \$2 billion up front, because by the time you factor in those charges it is going to whack taxpayers immensely.

Really, admit what you are doing: You are shovelling the money to Bay Street instead of giving it to the people on Main Street.

#### HEALTH CARE FUNDING

**Ms. Shelley Martel (Nickel Belt):** In response to the comments made by the Minister of Health, I thought it was important to put on the record some of the responses to the budget from some of those health care stakeholders.

Here is a response from the Registered Nurses Association of Ontario, whose president, Joan Lesmond, said that "today's budget is sadly short on specifics about how new public dollars will translate into better access to health care services and professionals.... 'Nurses and the public they serve need to know in human terms how today's budget will continue to strengthen nursing and thus, the health of the public. In particular, we are concerned about the government's silence on its next step in reaching its promised 8,000 full-time new nursing positions by 2007,' said Lesmond."

What did the RNOA have to say about private financing of child care, of health care? They said that they remain very "concerned about any increased private sector involvement in child care or health care. 'Because



nurses know that the sustainability of health care and medicare is essential, they are concerned about the additional costs resulting from private financing of public assets like hospitals,' said Lesmond."

Joan might also be worried about how many more nurses might get layoff notices as a result of the inadequate funding to the hospital sector, because Hilary Short yesterday said that hospitals and patients will face another difficult year, that they are very disappointed, that "many hospitals could receive an even smaller funding increase than ... last year," and that in the next couple of weeks a number of hospitals could "be required to plan reductions to ... patient services and for the elimination up to 4,000 ... positions." I bet you there will be a lot of nurses in that 4,000 job loss.

## VISITORS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: I know you and my colleagues will want to join me in welcoming the young men and women from Riverside Secondary School who have travelled all the way from Windsor to be with us here today.

**Mr. John R. Baird (Nepean-Carleton):** On a point of order, Mr Speaker: I appreciate your indulgence. I would like to ask for unanimous consent for the Minister of Agriculture to make a statement with respect to the 23% cutback on rural Ontario.

**The Speaker (Hon. Alvin Curling):** I hear a no. There's no unanimous consent.

I have some good news. Yesterday the pages delivered the budget in an outstanding 27.06 seconds. It's a new record.

1420

## ORAL QUESTIONS

### ONTARIO BUDGET

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. Premier, according to page 7 of your minister's budget speech, you say you're providing funding for more than 3,000 nursing positions. Last night on CBC News, Linda Haslam-Stroud of the Ontario Nurses' Association said: "There will be layoffs. We don't believe that the ministry money that's being put out is actually being spent on nurses on the front line."

Last year, your government spent almost \$100 million laying off 800 nurses. Premier, who should we believe, your smoke-and-mirrors budget or Ontario's nurses?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Well, it's not surprising that the leader of the official opposition is quoting somebody else with respect to their perspective on this budget, because we cannot, for the life of us, figure out where he stands on this budget or anything.

He may not like this plan, but I can tell you something: Through this plan, we are making the single biggest investment in post-secondary education in the past 40 years. It's about smaller classes, more teachers and higher test scores. It's about shorter waits for our patients. It's about more doctors and more nurses. It's about cleaner air and better protections for our water. It's about protecting green space that they would dismantle. That's where we stand.

I think what the people of Ontario want to know today—I think what the members of this gentleman's caucus want to know today—is where does he stand when it comes to the positions we put forward through this plan?

**Mr. Tory:** I will get up, even though he'll have a chance in due course to ask me questions, and give him a lot more answers than he gives me. When it comes to whether the budget should be balanced for sure by 2007, yes, I'm in favour of that. When it comes to whether or not your government should have given back to the hard-working taxpayers some of the \$2.6 billion that washed over your government, yes, I'm in favour of that. So there are two things that I'll tell you I'm in favour of right now.

The Premier's government's budget says that hospitals are getting a \$600-million increase, but the hospitals say the real amount after you factor out one-time funding is only a 1% increase. The Ontario Hospital Association said: "Within weeks, hospitals will be required to plan reductions to core patient services for the elimination of up to 4,000 staff." Premier, who is right, the Ontario Hospital Association or your smoke-and-mirrors budget?

**Hon. Mr. McGuinty:** How much comfort is the leader of the official opposition lending to the health community in Ontario when he says that he is absolutely determined to take \$2.4 billion out of our health care system? We continue year over year to invest more money in the priorities of the people of Ontario, whether that's post-secondary education for our young people, whether it's through our public school system or through our public health care system. That is our priority because of the priorities of the people of Ontario.

I say again to my friend opposite, how can he stand there and pretend that he's going to defend the interests of those people who are committed to public health care when he wants to take \$2.4 billion out of Ontario's health care system?

**Mr. Tory:** I can only say—and I'm answering more questions than the Premier, because he's answered zero today—I would have, if I was leading a government that was awash in \$2.6 billion in extra revenue, given a tiny bit back, 10% of the health tax you illegally imposed on those people, to those hard-pressed taxpayers. That's what I would have done.

In your minister's infrastructure statement here today, he—

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. There's heckling on both sides. I'd like to hear the leader of the official opposition.

**Mr. Tory:** Premier, in your minister's infrastructure statement here today, he tried to convince us that your government really does have a plan for infrastructure. The reality is, on page 71 of your own budget, your government has allocated only \$11.5 billion for capital, at best, over the next five years. Your minister said that he will have more to say about your plans in the future—proving that you have absolutely no plan.

I will send across one of these napkins so that you can draw up a plan, but in the meantime, can you tell us, Premier, which page of your budget has the specific details as to the amount you're committed to spend on infrastructure this year? Which page of the budget shows us how much you're going to spend?

**Hon. Mr. McGuinty:** Well, it's got the logo of the Albany Club on the corner here. That may be the first time the member opposite has touched a paper napkin.

Let me say this: It is very difficult for the people of Ontario to understand where the leader of the official opposition is coming from. We made it very clear where we stand; you can find it all in the budget. If you're interested in more details with respect to infrastructure, I'd advise you to read the minister's statement that he gave just a few moments ago.

Yesterday, the leader of the official opposition said that we should spend more, and then he said that we should spend less. He said that we should balance sooner, but then we shouldn't balance just right now. He said that we should cut taxes even though we are running a deficit, which seems to me is how we got into this mess in the first place. We are putting forward a balanced, responsible, prudent financial plan that breathes life into the priorities of the people of Ontario. It's for better schools, better health care, better post-secondary education and a stronger economy. That's where we stand on this budget.

#### AGRICULTURE FUNDING

**Mr. John Tory (Leader of the Opposition):** My question is for the Minister of Agriculture and Food. Minister, I have a very—

**Hon. George Smitherman (Minister of Health and Long-Term Care):** John Tory, SQ.

**Mr. Tory:** Well, I'd rather be John Tory, SQ, than George Smitherman, BS, that's for sure. That's absolutely for sure. I have a very—

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order.

*Interjections.*

**The Speaker:** I feel when I say "order," the ministers don't believe that it means they must come to order. And of course, the leader of the official opposition would like to withdraw that comment.

**Mr. Tory:** If I said anything unparliamentary, of course I withdraw it.

My question is for the Minister of Agriculture and Food. I have very a specific question and I would appreciate a direct answer. Can the minister confirm that the actual spending by the Ministry of Agriculture and Food for last year was \$733 million, as per page 29 of the budget, yes or no?

**Hon. Steve Peters (Minister of Agriculture and Food):** It's a pleasure to be here and talk to a member who obviously does not have a clear position as to where he stands. On one hand he's advocating that we're spending too much money, but on the other hand we should be paying down the deficit. Then he's talking about tax cuts.

Do you know what we did last year, because we recognized the challenges that farmers were facing in this province? We made an unprecedented investment in support of the farmers in this province, be it through BSE, grains and oilseeds or tobacco. I would encourage the honourable member to have a look at the budget. The spending in the Ministry of Agriculture and Food last year and through Agricorp, our arm's-length agency that helps deliver our safety net programs, was in excess of \$1 billion. Obviously, you still don't know how to read the budget and I'm very disappointed. I would welcome the opportunity for you to come on over to 77 Grenville, sit down and give you a lesson on how to read a budget, because obviously you haven't learned anything yet.

**Mr. Tory:** Page 29 of yesterday's budget does in fact show actual spending by the Ministry of Agriculture and Food. The interim report shows \$733 million, and I take it from your answer that you agree with that figure. Minister, can you confirm that the—

*Interjections.*

**The Speaker:** Order. If both the member from Nepean–Carleton and the Minister of Community and Social Services would like to have these loud discussions, they can take place outside. Don't let me have to warn you again.

**Mr. John R. Baird (Nepean–Carleton):** No thank you, Speaker.

**Mr. Tory:** No comment. Minister, can you confirm that the planned spending by the Ministry of Agriculture and Food for this year, 2005-06, is \$564 million, as per page 29 of the budget, 23% less than last year? Can you confirm that?

1430

**Hon. Mr. Peters:** I'll continue on with my education of the honourable leader. Perhaps he should sit down and talk to a former finance minister or a former agriculture minister about how to read a budget. If you look at last year's budget for the Ministry of Agriculture and Food, we budgeted \$549 million—page 71 of the budget last year. If you read the budget for this year, page 74, you'll see that the budget is \$564 million. We've recognized that there are investments that we need to make within the Ministry of Agriculture and Food. There is a \$15-million increase in the budget. So, obviously you have not learned how to read a budget yet. I would welcome that opportunity for you to come over to 77 Grenville, because you prefer tax cuts instead of helping farmers.



We don't believe in what you believe in; we stand behind our farmers. That's what we did.

**Mr. Tory:** The figures showing the dramatic reduction are from page 29 of this year's budget. I want to know from you, Minister, why two MPPs from Windsor, sitting at the same cabinet table as you, can get \$400 million for a casino expansion while you end up with a 23% cut for farmers? This is the second year in a row that you've sat silent while this government withdrew its support for farmers. Why don't you break yourself free of the confines of cabinet solidarity and the shackles of the Premier's office and stand up and fight with us for the farmers of Ontario? Why don't you do it?

**Hon. Mr. Peters:** We saw how all over the board the member was yesterday. If he were standing up for farmers of Ontario, they would not have received an additional nickel of support, and that's very disappointing. We directed, last year alone, in excess of \$375 million in direct support for farmers in this province. We recognize the challenges as a result of BSE. That's why we made unprecedented investments to support the beef, dairy and cattle industry. The grains and oilseeds, record low commodity prices—we recognized that.

You can stand up and talk about cabinet colleagues not being supportive. I think it shows very clearly the support of this government. When you have a budget of \$549 million and we spend over \$1 billion through AgriCorp and the Ministry of Agriculture—how can you say we don't support farmers? I think it clearly demonstrates that you don't support farmers and that this is a government that believes in agriculture and is there to stand up for the agricultural community and come to the table—

**The Speaker:** Thank you. New question.

## INFRASTRUCTURE PROGRAM FUNDING

**Mr. Michael Prue (Beaches–East York):** My question is to the Premier. Yesterday Ontarians learned of your new privatization-by-stealth budget. They learned that all of the sewer, road, transit and other vital projects may be built using private money instead of public money, and they learned today from your own minister of infrastructure where he admitted that it's going to cost more in borrowing costs from private lenders instead of public ones. Why have you and your Minister of Finance chosen to take the more expensive route? Why are you selling out to Bay Street instead of doing what is right for the taxpayers of Ontario?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I know that the minister is going to want to speak to this shortly, but let me say—

*Interjection.*

**Hon. Mr. McGuinty:** He's very eager.

But I can tell you this: The NDP continues to traffic in fictions when it comes to this particular issue. We have been very clear from the outset about our plan to ensure

that we protect the public interest when it comes to investing in the desperately needed infrastructure.

Again I say to the member opposite that the people of Ontario are very, very interested in learning where the NDP stands, particularly when it comes to our plan to increase student support for 135,000 more students this year alone. For the first time in 10 years, we are going to be giving grants that will benefit 32,000 students in Ontario. Those are students who could otherwise be deprived of the opportunity of pursuing post-secondary studies. What Ontarians want to know today is, does the NDP support our budget insofar as the investments we are making in student assistance in Ontario?

**Mr. Prue:** My question is not about the students; we'll get to that later. My question is about the cost of financing your promises. The Bay Street economists in today's papers all agree that P3 borrowing rates are higher than provincial government borrowing rates. Your own minister has admitted that. The province can borrow at 5%, but we know that you're going to have to pay 10% for some borrowings on Bay Street, and that difference will mean a cost, potentially, in the billions of dollars over a 30-year debenture.

Premier, is the reason you are spending billions through the private sector an attempt to hide the real cost of the infrastructure in this budget?

**Hon. Mr. McGuinty:** The Minister of Public Infrastructure Renewal.

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** I must admit that I'm really mystified by the member's assertions. I want to familiarize the member with Bill 17, the Capital Investment Plan Act, 1993. The purpose of the act, which was introduced by Treasurer Floyd Laughren, of the New Democratic Party, says: "Government, municipalities, other public bodies and the private sector will work together to make significant investments in the province's infrastructure."

I see the member is talking to his mate Mr. Bisson. I would like to read the list of members who voted for Bill 17: Abel, Akande, Allen, Bisson, Boyd, Buchanan, Calahan, Caplan, Carter, Charlton, Christopherson, Churley, Cooper, Coppen, Curling—you, Speaker, too. I'll fast-forward a little bit to Klopp, Kormos, Lankin, Laughren, Lessard. Let me fast-forward a little bit more: Mamoliti, Marchese, Martin, Perruzza.

The NDP says one thing; they do another. Clearly, it is important that we get more investment in infrastructure. We reject all—

**The Speaker (Hon. Alvin Curling):** Thank you. Supplementary?

**Mr. Prue:** I think the honourable member just got an F in history, because it was about rolling stock and none of it was ever used. The honourable member obviously doesn't know what he's talking about.

Back to the Premier: There was a certain opposition leader who stood four-square against public-private partnerships. That certain opposition member was you, and I quote you, just a few months ago: "I'm calling on Mr. Eves to halt any contract signings when it comes to P3s. I

stand against the Americanization of our hospitals"—September 26, 2003, your own statement.

The argument against P3s is even stronger today than it was then, because it has been better documented what a bad deal they are. Your confusion on this issue is confusing Ontarians too. Will the real Dalton McGuinty please stand up and tell us where he stands?

**Hon. Mr. Caplan:** The member may now oppose the position of Bisson, Hampton, Martel, Kormos, Churley and Marchese et al., but I'd like to quote as well from former Minister of Transportation Mike Farnan, November 30, 1994, right in this House: "This international model is used everywhere—in Germany, the USA and many other parts of the world. By allowing partnerships with the private sector and changing the way we build highways, we are positioning our industries to be the world leaders and at the same time we are getting the job done faster and"—get this—"we are saving the taxpayers a lot of money."

I do agree with Mr. Farnan, of course, but I would have recommended to Mr. Farnan that he choose our principle-based approach that public interest is paramount, that you must be able to demonstrate value for dollars, that there be accountability, that there be appropriate control and ownership. These are the principles that—

**The Speaker:** Thank you. Is this a final supplementary?

**Mr. Prue:** I believe it's a new question, Mr. Speaker.

*Interjections.*

**The Speaker:** Order. I can't even hear myself think. New question.

1440

## SOCIAL SERVICES

**Mr. Michael Prue (Beaches—East York):** My question is again to the Premier. Premier, your government betrayed and abandoned disabled people and poor families yesterday. Your budget is completely silent on issues of poverty. In the past, you promised annual increases for disabled people and families on social assistance, but nothing was in your budget for them yesterday. You promised to end the clawback of the baby bonus for Ontario's poorest children, but it's not there either. You promised money for social housing, but you're spending just 10% of what you promised two weeks ago. This is hardly something to be proud of, as we celebrate 75 years of social services in Ontario. Premier, why does this budget break all of the promises you have made and leave so many poor people behind?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Maybe the member opposite didn't notice these things, but let me tell you what we have done through this particular budget when it comes to helping Ontario's most vulnerable people.

Our Best Start program will mean significantly more child care spaces.

We're building 15,000 affordable housing units.

We are flowing increases in the national child care benefit once again to Ontario's families.

We're increasing grants to and improving access to post-secondary education for low-income students, and we're improving access for our disabled students.

We are improving community support services to seniors, our frail elderly and the disabled.

We are expanding the mental health system's capacity to provide counselling, crisis response and early interventions for almost 79,000 more people.

We're making sure that those on social assistance receive the dental care they need.

We have renewed the \$2-million energy assistance fund for low-income Ontarians.

If this member is saying that somehow this represents abandoning Ontario's most vulnerable, then he does not know what he's talking about.

**Mr. Prue:** Quite the contrary; I think the Premier doesn't know what he's talking about or he doesn't remember what he said in the past.

Mr. Premier, after inflation, Ontario's poorest families are worse off today than they were in the dark days of Mike Harris.

Before the election, you said, "We will implement a cost-of-living adjustment to both OW and ODSP and this will occur on an annual basis." There is nothing in your budget that does anything of the sort. These are the poorest of the poor families in Ontario.

Last year, the Minister of Community and Social Services said, "Our government refuses to balance its books on the backs of the poor." But that is exactly what you did yesterday.

Premier, hundreds of thousands of Ontarians are living in desperate poverty. They believed you. You should be ashamed. Why did you break your promise to the poorest of the poor in Ontario?

**Hon. Mr. McGuinty:** The Minister of Community and Social Services.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** We have to make it very clear that in the darkest days of Ontario's history, when an NDP government actually cut social services through the social contract, they, in one fell swoop, cut more funding to social services than even the last government over their 10 years. I find it appalling now that they would stand up and ask us questions about poverty issues.

Let me tell you that one of the most significant items in that bill that was introduced yesterday, our budget, was a quadrupling of the amount over last year that we are leaving with Ontario families, from \$7 million growing to \$38 million, four times more than last year. That is a significant number. Only the NDP could think that \$38 million is not a lot of money.

**Mr. Prue:** It is not a lot of money when you keep \$250 million from those same poor children. You should be ashamed of yourself.

Madam Minister, before the election you promised to end the entire clawback of baby bonus for our poorest



children. Now you're all the way up to 6% after two budgets. You said, and the Premier said, "The clawback is wrong and we will end it." But there is no end to the clawback in your budget.

Thousands of postcards have been sent to you and to the Premier begging you to keep your promises, but you didn't even bother to read them.

Madam Minister, I saw the faces of the poor families, and you must have seen them yesterday too. They were so disappointed in what was an atrocious and horrible budget for them.

Premier, I ask you, I ask the minister, I ask anyone who wants to answer it, why did you break your promise? Why are you leaving these poor children behind?

**Hon. Ms. Papatello:** It's going to take a supreme level of patience with the NDP. Only the NDP could think that millions of new dollars in child care is a bad thing for Ontario families. Only the NDP could think that leaving \$508 more through the national child benefit with families who are on social assistance—they don't believe that's a lot of money.

We believe, on the other hand, that we need to move forward in the right direction and do more and more for families, in particular those who live in poverty, and that's what we're doing. But we also recognize that we need to do it in a time frame that is actually affordable. We don't make any bones about that; we've said that from the very beginning. We don't have all the money we want to do all that we want. So the things we choose are the things that will help families the most. That means child care, that means leaving four times the amount that we left last year, and we will continue on that track.

## AGRICULTURE FUNDING

**Mr. Peter Kormos (Niagara Centre):** My question is to the Minister of Agriculture. Yesterday's budget was oh so clear that agriculture simply isn't a priority for this government any more. The second-largest industry in this province remains in crisis. What programs are you going to be cutting as a result of the 23% cut to your budget?

**Hon. Steve Peters (Minister of Agriculture and Food):** I'll use this as an opportunity to talk a little bit about our budget. The simple answer is, no programs. There's not a single program that is being cut from the Ministry of Agriculture and Food. Included in this budget was a program that was cut last year that, upon review, we reinstated: There's full funding in this budget for the municipal outlet drainage program.

Again, as I said to the leader of the third party, look at the budget of last year. The budget was \$549 million. This year, the budget is \$565 million, an addition of \$15 million. Included in that addition, beyond the restoration of the municipal outlet drainage program, is a \$3-million investment in the University of Guelph so that we can look at the long term for agriculture. We're going to

invest in bio-agricultural research. We've created a chair for bio-agricultural research.

Included in this budget as well is a \$7-million investment in food safety, because food safety instills consumer confidence, and when consumers are confident, they're going to have confidence in their food supply.

This is a positive, good-news budget for the Ministry of Agriculture. Is the crisis over in agriculture? The crisis is not over, and this government demonstrated last year that we're there to secure farmers—

**The Speaker (Hon. Alvin Curling):** Thank you. Supplementary?

**Mr. Kormos:** Page 29 of the government's own budget paper brags about the spending cuts of this government. They highlight the ministries that are undergoing dramatic spending cuts. First on their list is agriculture and food, a 23% spending cut. The government calls this "spending held in check."

So the question to you once again, Minister, is, what programs are going to be cut? And when you're on your feet, perhaps tell us, where is the long-term income stabilization plan that Ontario farmers so desperately need and want to survive?

**Hon. Mr. Peters:** To reiterate to the honourable member, there are no programs that are being cut in the Ministry of Agriculture and Food. When the budget went from \$549 million that had been allocated and approved within this Legislature last year—as the year unfolded, the government recognized very clearly the challenges that farmers were facing in this province. That's why we came to the table with an investment of \$79 million in support of the grain and oilseed sector. That \$79 million was not in the budget. Add that to the \$549 million.

Included in last year's investments as well were \$50 million in support for the tobacco industry: \$35 million for growers and \$15 million for the communities. That \$50 million was not in the \$549 million. So we've added \$129 million into this now.

I could go on and on and talk about the additional investments we made to support agriculture. We were there to support farmers in a time of crisis. We will continue to be there to support our farmers in a time of crisis.

1450

## POST-SECONDARY EDUCATION

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** My question is for the Minister of Training, Colleges and Universities. Yesterday our government made an historic landmark investment in post-secondary education: a \$6.2-billion increase in post-secondary funding, the largest multi-year investment in 40 years for Ontario's post-secondary education system.

Minister, students and faculty at Ontario's newest university, the University of Ontario Institute of Technology in Durham region are thrilled by this commitment. The president of both UOIT and Durham College, Dr. Gary Polonsky, is very excited about the future for his students.

Included in that investment was an investment for graduate students. I know that many students in my riding aspire to advance their knowledge beyond an undergraduate degree. They tell me that to compete in our high-knowledge economy; they want to advance their skills as much as possible. What will this investment in graduate education mean for the students, and why is this investment so crucial to our province's future?

**Hon. Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I'd like to thank my colleague the member for Pickering-Ajax-Uxbridge. He's right to be so supportive of the University of Ontario Institute of Technology. They're doing great work out there.

Our \$6.2-billion investment includes significant support for graduate education. To date, Ontario's output in terms of master's and Ph.D. students per capita has fallen well below our paired jurisdictions in the US. We have to put an end to that. By the year 2007-08, we'll have 12,000 more graduate students in Ontario, and by 2009-10, we will have 14,000 more graduate students. We have invested \$100 million in creating endowments at universities to help fund graduate education, and we have also invested \$25 million to fund chairs in research for graduate students.

**Mr. Arthurs:** Minister, that's very good news for students and families throughout Ontario. More graduate students receiving a higher-quality education will mean that our local communities will thrive off the skills and knowledge they bring to our economy.

I've also had students tell me that their student experience has been deteriorating. The classes are larger and it is more difficult for them to get time to meet with the professor because their professors are busy. This is a result of our post-secondary institutions being neglected for so long. Both opposition parties when in government decimated the post-secondary institutions. Minister, we know that a high-quality education requires a high-quality student experience. Will this investment help to improve that student experience?

**Hon. Mrs. Chambers:** There are different ways of measuring student experience, and certainly the national survey on student experience, which is conducted in North America—in the US and Canada—has demonstrated some of the ill effects of the neglect of post-secondary education over the past decade. So with this additional investment of \$6.2 billion in higher education through the Reaching Higher plan, the McGuinty government plan for post-secondary education, we expect to see 3,300 more faculty and instructors hired in universities and colleges, which will improve the student-faculty ratio, enhancing the quality of the student experience.

You know, student experience is also attributed to the kind of environment they study in. So infrastructure investment, an immediate investment of \$200 million, is being made to address maintenance and to help make the places of study safer.

## AGRICULTURE FUNDING

**Mr. Ernie Hardeman (Oxford):** My question is to the Minister of Agriculture and Food. The farmers I represent are very concerned about your inability to defend the agriculture budget at the cabinet table. Now, you tell us in the House today in answer to our leader's question that, in fact, you spent over \$1 billion to help our farmers in the past year. The question becomes, of course, that that's not what's in the budget papers. What's in the budget papers on page 29, as the Minister of Finance—we're going to assume that we can believe what the Minister of Finance put in his document paper, although we don't always see the proof of that—that the budget was \$733 million and that the plan for this year is \$564 million. Of course, that's a 23% decrease.

I know the money was all spent, the \$733 million was spent. I would like to know what the minister would suggest has changed in our farming community to suggest that the farmers don't need at least the \$733 million to support them as opposed to the billion dollars you said you spent last year to support the farmers—

**The Speaker (Hon. Alvin Curling):** The Minister of Agriculture and Food.

**Hon. Steve Peters (Minister of Agriculture and Food):** I am so surprised. I can understand the rookie leader who is here who doesn't comprehend a budget, but I am just blown away that a former Minister of Agriculture and Food, after 10 years of service in this Legislature, still does not know how to read a budget. And that really scares me. If he doesn't know how to read a budget now, what was he doing when he was a minister? We saw what happened at AgriCorp when he was minister as they day traded at AgriCorp. We didn't allow, and we do not allow, AgriCorp to day trade.

I reiterate, and I'll speak slowly for the honourable member. Last year's budget said that the Ministry of Ag and Food would spend \$549 million. This year's budget said \$564 million, an increase of \$15 million. We recognized through the year that there were many crises facing the agricultural community. This government—

**The Speaker:** Supplementary?

**Mr. Hardeman:** Minister, I'm not the only one who's shocked by the lack of support for our farmers. Let me quote Ron Bonnett, the president of the Ontario Federation of Agriculture: "... a huge disappointment for Ontario's farmers working in Ontario's second-largest industry.... Now we need to be concerned with where Steve Peters, Minister of Agriculture and Food, will be making cuts within his ministry. With another \$169 million cut from OMAF's operating budget something's going to suffer."

Minister, how does slashing 23% of the budget show your support for the hard-working farmers as you promised? As the OFA release states, it's what's not in the budget that counts. Minister, you obviously don't have the support of your cabinet colleagues. Agriculture isn't considered a priority in a Liberal government. The



farmers who have spoken to me have it right: You are obviously not up to the job.

**Hon. Mr. Peters:** If we want to talk about cutting budgets and not supporting agriculture and governments not being up to the job, I think the true government that did that, the poster child for that, is the Tory party in this province of Ontario. Within this budget here, there are no cuts to the Ministry of Agriculture programming. The additional dollars that cabinet came to the table with in support of the farmers of this province were direct cash dollars in support of the farmers in this province. Unlike Tory budgets, you will not find cuts and the closure of the Brighton veterinary laboratory, cuts to the Foodland Ontario program. He spoke in favour of it last week, and his government cut \$1 million from Foodland Ontario, cut the dairy audit program, cancelled the Niagara tender fruit lands program. The ag investment strategy, the very thing we need to do to look ahead to move to the future, to add value to what we do in agriculture, they cut that budget by a million and a half dollars. We're investing in the future by the University of Guelph—

**The Speaker:** New question.

## NURSES

**Ms. Shelley Martel (Nickel Belt):** I have a question for the Minister of Finance. Minister, the media reported today that the budget includes money to create 3,000 new nursing positions, but nowhere in the budget is there any reference to new money for nurses this year. Can you confirm that the 3,000 nursing positions that were referenced in the budget are actually the same 3,000 positions you announced last year that aren't filled yet?

**Hon. Greg Sorbara (Minister of Finance):** What I can confirm to my friend is that the budget I presented yesterday makes historic new advances in the area of health care. We are moving resolutely toward providing a more community-based system of health care. My friend the Minister of Health has made major advances in ensuring that our hospitals are responsive. The fact that we are opening a new medical school and, in respect of nursing positions, a new northern medical program for nurses reinforces our commitment to health care not just in the south but in the north. So right across the spectrum we're making great advances. I simply can tell her that the provisions we've made in our budget provide for an expansion of nursing programs and positions in every single year of our plan.

1500

**Ms. Martel:** Minister, I looked very carefully at the budget. I looked for new money for new nursing positions and I couldn't find it. That's why I'm asking the question, and it's not a trick question.

I believe that the 3,000 nursing positions that were referenced in the budget are the same 3,000 nursing positions that you announced last year that haven't been filled yet. I want confirmation from you today that that is the case. Is it true that there is no new money for new nursing positions this year, and that the 3,000 positions

referenced in the budget are the same 3,000 positions announced last year that haven't been filled yet? Is that the case?

**Hon. Mr. Sorbara:** I know my colleague the Minister of Health is interested in answering that question.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** We're very proud to say—and I think that page 61 from the budget documents provides us with a good direction—that our \$504-million new investment in hospitals will certainly enhance opportunities for nurses; that our ongoing commitment to home care, with \$292 million in new investments in community-based mental health services, will involve the creation of significant new employment for nurses; that the \$264-million investment in long-term-care homes—yes, I can confirm—will enhance employment for nurses; that the \$122 million we're investing in public health will enhance the number of positions for nurses, building on the progress that we made in our first full year of government, when we created 3,052 new full-time-funded positions for nurses in Ontario.

## AGRICULTURE FUNDING

**Mr. Pat Hoy (Chatham-Kent Essex):** My question is to the Minister of Agriculture and Food. First of all, I want to congratulate you and the Minister of Finance for infusing \$15 million of new money into Ontario's agriculture.

As you know, our farmers, like the ones in my riding, have been in dire straits for some time. In fact, this spring farm organizations came to Queen's Park to have their voices heard. They had to deal with BSE, low commodity prices and other challenges. We must do what we can to help Ontario's farmers because they ensure that we have good quality food to eat.

Minister, your investment shows that this government is listening. I understand that core funding for agriculture actually rose in this budget from \$549 million last year to \$564 million this year. Can you explain why there has been some confusion regarding this investment, as presented in our budget?

**Hon. Steve Peters (Minister of Agriculture and Food):** I'm very pleased with the interest in agriculture here today, because every one of us in this room should be concerned about this industry.

What amazes me—and I think it just demonstrates very clearly the fly-by-night fiscal plan that the previous government put forward—is that after all those years in office they tried to hoodwink the citizens of Ontario with their budgets. Obviously, after all those years in office they still don't know how to read a budget. It just amazes me.

We are making an increase in the Ministry of Agriculture and Food's budget, a \$15-million increase that's going to help support food safety and bio-agricultural research at the University of Guelph. As well, we recognize, because of the hard work of rural members, like the one who has just spoken, that there were chal-

lenges facing rural areas in Ontario. That's why we came to the table for grains and oilseeds, BSE, tobacco—and many other farmers.

**Mr. Hoy:** We thank you for the new investment, Minister. I know that farmers across Ontario are pleased that we are taking their concerns seriously. As you know, the Tories slashed \$80 million from the 1996-97 budget. It was the Tories who cut tens of millions of dollars from farm finance, research and industry development. The Tories put agriculture at risk and tore money away from an industry already in jeopardy.

It's typical for the opposition to talk out of both sides of their mouths. I am amazed that the Leader of the Opposition would criticize an increase in investment for agriculture and our ongoing support for our farmers.

Minister, can you explain why the Tories are attacking our continued support for the agricultural community?

**Hon. Mr. Peters:** Of course I can explain it. I think they clearly demonstrated that in 1995 when Mike Harris stood up and said, "There will be no cuts to agriculture." What's the first thing they did after they took office? They cut over \$14 million out of that budget, and they continued to cut and cut in excess of \$100 million.

**Mr. Ernie Hardeman (Oxford):** Wrong, wrong.

**Hon. Mr. Peters:** I can hear heckling from the other side by a former ag minister saying, "Wrong." He was the ag minister who put the final nail in the coffin of regional offices in this province. He's the one who closed down the last of the agricultural offices in December 1999.

We recognize very clearly that this is an industry that's of extreme importance to this province. It's an industry that is facing challenges. It faced a crisis. We came to the table in support. That crisis is still in existence. The crops are just being planted. We have to see, once they're harvested and marketed, if that crisis continues. The government's been there in the past, and I can assure you the government will be there in the future.

#### HEALTH CARE FUNDING

**Mr. Jim Flaherty (Whitby-Ajax):** My question is for the Premier and it's about budget assumptions and spending controls in the government of Ontario. Forty-six per cent of program spending is now health care. Health care expenses, according to the budget, will rise 8.2% per annum on average over the course of the next five years. The spending increase for hospitals is 5.2% in this budget. We know that means layoffs. The president of the Ontario Hospital Association says that (hospitals "don't have the money to" balance their books "without reducing programs and services and without reducing staff. We are extremely worried and very disappointed.")

There's no plan here to match the reductions. Health care spending this past year was 11.1%; next year, it will be 5.8%; the year after that, 5.2%; and the year after that, 3.8%. What is the plan that is going to reduce the increase in health care spending over the next three years to the 3.8% level?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the Minister of Finance.

**Hon. Greg Sorbara (Minister of Finance):** One of the things that gave me the greatest amount of pleasure when we presented the budget yesterday was what we can achieve in our second full year in health care. We're providing a 6% increase, notwithstanding that the rate of the economy is growing at about 2.2% at this time. We were also able to acknowledge where we needed to spend in health care. We're moving more quickly to community-based care. We're providing support in hospitals of the kind that is necessary to help hospitals adjust.

I just want to point out to my friend that he has made some significant errors in the presentation he's made in his question. Health care funding has grown at an average rate of 8.2% over the past five years. I want to point out to him that it's our collective obligation—and he knows this—to make sure that, as we are transforming and improving health care, we're also able to manage down expenses so that they more or less equate to the rate of growth of the economy.

**Mr. Flaherty:** The problem, Minister, is this—and we saw it in the past year, particularly in our community hospitals like Lakeridge Health Corp. in the 905, with rapid growth: Their base costs are growing at 8% a year. That's why health care funding has been going up 8.2% on average per year. So now what it means is, when you reduce that funding even further, they're going to have to lay off more nurses, more technologists, more people in the community hospitals. These are our large community hospitals in the province of Ontario that need adequate funding, and you can't do it at 5% or, even worse, 3.8% three years from now. Will the minister then admit that this is an inadequate level of funding that is going to result in pink slips for nurses in Ontario?

**Hon. Mr. Sorbara:** I have listened to the member from Whitby-Ajax for a number of years now and I still can't figure out where he's coming from. Sometimes he stands in his place and argues that the government is spending too much. Sometimes his leader stands in his place and argues that we need to cut \$2.5 billion out of the health care system. Sometimes Mr. Flaherty stands up and argues that the government should get out of just about everything they're in. Now he's arguing that we're not spending enough money on health care. I simply want to tell him that a year ago we presented a plan to transform this health care system in this province, to make it more responsive, to reduce wait times, to have more community-based care, and most importantly, to give him comfort to have a health care system that is sustainable for generations to come.

1510

#### HIGHWAY 69

**Mr. Gilles Bisson (Timmins-James Bay):** My question is to the Minister of Northern Development and Mines. Minister, earlier today in Sudbury you announced



full funding for the construction of Highway 69, four lanes, from Parry Sound all the way to Sudbury, and minister—

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order.

**Mr. Bisson:** I'm glad to see the Liberals are all excited this afternoon, but I want to look in the budget with the minister and I would like him to point out where in this budget the money is to fully construct that highway from Parry Sound to Sudbury, the billions of dollars necessary. Can you tell me on what page in this budget that will be found?

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** I want to tell the member how pleased the community was this morning. We attended the Rotary Sunrises breakfast and we announced the good news of the budget. We announced post-secondary education funding. We announced paying down the deficit. But I did announce that finally, after 13 years of inaction by previous governments, be they NDP or Tory governments, we finally in Ontario have a government that is committed to four-laning Highway 69 from Sudbury to Parry Sound. It's a fully committed, 12-year action plan that will see, for the first time ever, a government committed to four-laning Highway 69, from Sudbury to Parry Sound. Finally, at the end of those 12 years, we will have realized a dream that no other government ever attempted.

**Mr. Bisson:** I look at the budget and there is no page, no mention of where the billions of dollars are going to come from to pay for the highway construction of four-laning from Parry Sound up to Sudbury. I remember this government in opposition, with Mr. Bartolucci, the member from Sudbury, standing on his feet and saying: "After the election, six months, we're going to put in place a northern Ontario highway strategy fund that is going to put in place the \$2.2 billion necessary in order to build this highway." Well, minister, here we are almost two years after the election. You're now into your second budget. Tell me where the \$2.2 billion is in this budget that you promised before the last election to fund Highway 69. Is this another Liberal broken promise, or is it a whole bunch of opportunity to say: "It's coming; wait; sometime soon," at a channel you select, who knows where?

**Hon. Mr. Bartolucci:** Obviously the member from Timmins-James Bay hasn't read the budget. It's on page 75, all right? If you would read it, you would probably find the commitment to four-lane Highway 69 between Sudbury and Parry Sound. But I don't want to play politics with this. I want to repeat what I heard this morning from Rita Pulice, who lost a son on Highway 69, who lives in the Nickel Belt riding, and who said, "I'm excited. It's long overdue."

*Interjection.*

**Hon. Mr. Bartolucci:** The member from Nickel Belt likes to rant and rave, but I would think she would want to hear from her constituent when she says, "Finally, you see what happens when community and government

come together." But let's listen to what Ron Henderson has to say—

**The Speaker:** I hope that you would add another supplementary for that one, but it's not there. New question.

## HEALTH CARE

**Ms. Kathleen O. Wynne (Don Valley West):** My question is for the Minister of Health. I really believe—

**The Speaker (Hon. Alvin Curling):** Order. The member for Don Valley West is trying to speak.

**Ms. Wynne:** I really believe that the tabling of the budget yesterday is good news for Ontarians in both the long and the short term. We continue to progress with a strong plan to provide better access to health care across the province. At my budget breakfast this morning with the member for Eglinton-Lawrence and the member for St. Paul's that's certainly what we heard: positive response. This means more doctors and nurses, greater investments in long-term care and increased funding for hospitals. We have an aggressive agenda to keep Ontarians healthy. This agenda includes promoting healthier lifestyles and increasing public health funding to 75% by January 2007. We've announced three new vaccination programs for children, smoking cessation programs, and banning junk food from vending machines in elementary schools.

Our agenda includes a whole lot of key elements. However, one of the most crucial elements in this agenda is the plan for reduction of wait times. Last night on Our Town, on Citytv, the member for Hamilton East and the member for Erie-Lincoln were really struggling —

**The Speaker:** Thank you.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I really do appreciate the commitment that comes from the honourable member from Don Valley West, and I'm pleased to be able to say that as a result of the commitment demonstrated by our government, we're going to be able to build on the progress we've already made to reduce wait times in Ontario. I saw a quote this morning from Cam Dickie from Windsor Regional and Hôtel-Dieu Grace hospitals. It said that local hospitals have already begun shortening waiting times for surgeries, while at the same time providing more procedures such as hip and knee replacements, MRIs and CT scans, which will give area residents better access to health care. That was before the contribution that comes as a result of yesterday's budget where, on the key wait-time priorities that we campaigned upon, you will see nearly double-digit increases across the board, meaning that Ontarians who have waited too long for those key services will have access to them. This stands in stark contrast to the kind of health care that they'd get if a \$2.4 billion—

**The Speaker:** Thank you. Supplementary.

**Ms. Wynne:** I think the reason the members for Erie-Lincoln and Hamilton East were having so much trouble

last night is that neither of their governments has ever put a sustainable, rational plan in place to reform health care.

My question: Our hospitals are also critical and we need them there when we need them most. It's important that we continue to ensure that they have the resources they need to go forward. Unfortunately, our hospitals have been taking on more than just critical care. Our health care system hasn't been working as well as it can; for example, long-term care should be provided in long-term-care homes, not in hospitals. We have to make the necessary investments or changes to ensure that our hospitals can focus on critical care. Minister, what are we doing to reduce the challenges that hospitals face so that they can focus on what they do best?

**Hon. Mr. Smitherman:** Our record on this stands in very sharp contrast to that of previous governments that sometimes thought that all of health care could be measured on hospitals. Our mandate is it a very different one. It's to deliver a comprehensive health care system to the people of Ontario, one that recognizes the component parts that are needed to work well together. Page 61 of the budget lays out very well the comprehensiveness of the funding commitments that we've made, not just to hospitals alone, which themselves are getting a half-billion-dollar increase, but building on last year's most significant one-time investment in community care; we're expanding with significant new resources for long-term care—\$274 million to expand the capacities there; a significant investment in the renewal of public health—ongoing; more money for community-based mental health and addiction support, with strong, strong support coming from that sector yesterday. These things, taken together, are all designed, along with significant contributions to more home care, to do the best we can to take the pressure off our hospitals, to free them up for their special mission. Our contribution of family health teams will aid significantly in this very —

**The Speaker:** Thank you. New question.

1520

**Mr. Frank Klees (Oak Ridges):** My question is to the Premier. Your Minister of Health, after having been relatively quiet for a few months, seemed to have been unleashed again yesterday. In a scrum, he made the following statement regarding Hilary Short and the Ontario Hospital Association. He said, "When it comes to the Ontario Hospital Association, there's a real tendency to cry 'wolf.'" This morning on 1010 CFRB he again derided Hilary Short and the OHA, saying their predictions were duplicitous. That was simply because the OHA is saying that as a result of your budget, some 4,000 nurses and health workers will be laid off.

First of all, is it an appropriate manner of conduct for a senior cabinet minister to deride a key stakeholder the way he is doing, and second, is there no confidence in the OHA?

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Where were you for the last 10 years?

**The Speaker:** Order.

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The Minister of Health.

**Hon. Mr. Smitherman:** I make no apology for the commitment our government has shown to Ontario hospitals with more than a half-billion-dollar increase in resources. I send this message on behalf of our government: We intend to continue to do as we have, which is work very, very hard with front-line health care providers in the interests of enhancing the quality of care for patients in the province of Ontario, and I have no patience for comparisons of apples and oranges, which is exactly what we got into yesterday, taking numbers that included one-time, non-recurring funding and piling those in as a comparison to try to diminish this contribution of half a billion dollars of new resources. We're going to move forward as a government to enhance quality care for the patients of Ontario. That is our bottom line, and we will deliver on it.

## PETITIONS

### COMMUNITY HEALTH CENTRE

**Ms. Laurie Scott (Haliburton—Victoria—Brock):** To the Legislative Assembly of Ontario:

"Whereas Brock township has been declared an underserved area by the Ministry of Health with respect to physician services since 1996;

"Whereas the Ontario government announced the creation of 150 family health teams, just like the community health centre in the spring budget;

"Whereas a CHC in Brock township could provide a range of community-based health and social services provided by a multidisciplinary team including physicians, nurse practitioners, nutritionists, health promotion coordinators, social workers, counsellors and other health professionals needed in our local community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Brock CHC proposal submitted on February 27, 2003, be funded as recommended by the district health council."

It's signed by Lynne Marie Johnson, Krista McAvoy, Dwayne Long and many other people within the riding.

### ANAPHYLACTIC SHOCK

**Mr. Bob Delaney (Mississauga West):** I'm pleased to read a petition sent to me by Deborah and Steve Kwinter, Robert McNay and their neighbours in the Creditview and Eglinton area of Mississauga. It deals with protection of anaphylactic students, and it reads as follows:

"Whereas there are no established, Ontario-wide standards to deal with anaphylaxis in Ontario schools; and



"Whereas there is no specific comment regarding anaphylaxis in the Ontario Education Act; and

"Whereas anaphylaxis is a serious concern that can result in life-or-death situations; and

"Whereas all students in Ontario have the right to be safe and feel safe in their school community; and

"Whereas all parents of anaphylactic students need to know that safety standards exist in all Ontario schools, be it therefore resolved that ... the government of Ontario support the swift passage of Bill 3, An Act to protect anaphylactic students, that requires that every school principal in Ontario establish a school anaphylactic plan."

I'm pleased to support the petition, to sign it and to ask Owen to carry it for me.

#### LESLIE M. FROST CENTRE

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** "Save the Frost Centre.

"To the Legislative Assembly of Ontario:

"Whereas the Leslie M. Frost Natural Resources Centre has a long history in the county of Haliburton and provides an important historical link dating back to its use in 1921 as a chief ranger station; and

"Whereas the history in the use and management of natural resources in Ontario stretches back to the 1600s and forms an integral part of the overall history of the province and Ministry of Natural Resources, and the history of the ministry and the Frost Centre itself easily qualifies as a significant historic resource; and

"Whereas the Minister of Culture, Madeleine Meilleur, has said, 'The McGuinty government values and is committed to conserving Ontario's heritage for the enjoyment and benefit of present and future generations'; and

"Whereas the Frost Centre is an important educational resource for the community, being described on the Ministry of Natural Resources Web site as 'Ontario's leading natural resources education, training and conference centre'; and

"Whereas closure of the Frost Centre would cause economic hardship in the local communities of the county of Haliburton and district of Muskoka due to direct job losses and loss of tourism dollars spent in local communities; and

"Whereas the local community has not been consulted about the closure plans;

"We, the undersigned, petition the Parliament of Ontario as follows:

"The Dalton McGuinty Liberals should not close the Leslie M. Frost Natural Resources Centre."

This is signed by hundreds of people from my riding.

#### REFUNDABLE CONTAINERS

**Mr. Tony Ruprecht (Davenport):** I have a petition to the Legislative Assembly of Ontario, specifically

addressed to the Minister of the Environment. It reads as follows:

"Whereas we find lots of pop cans and beer bottles in our parks plus children's playgrounds;

"Whereas it is therefore unsafe for our children to play in these parks and playgrounds;

"Whereas many of these bottles and cans are broken and mangled, therefore causing harm and danger to our children;

"Whereas Ontarians are dumping about a billion aluminum cans worth \$27 million into landfill" sites "every year instead of recycling them;

"Whereas the undersigned want to see legislation passed to have deposits paid on cans and bottles, which would be returnable and therefore not found littering our parks and streets;

"Therefore, we, the undersigned, strongly urge and demand that the Ontario government institute a collection program that will include all pop drinks, Tetra Pak juices and can containers to be refundable in order to reduce littering and protect our environment."

Since I agree with this petition 100%, I'll be delighted to sign it as well.

#### EYE EXAMINATIONS

**Mr. Jim Flaherty (Whitby–Ajax):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the 2004 provincial budget was not clear on whether adult optometry patients who have or who are at risk for medical conditions such as diabetes, glaucoma, macular degeneration and clinically significant cataracts would continue to be covered through the Ontario health insurance plan; and

"Whereas Ontario's optometrists strongly feel that Ontario seniors, those under 20 and those with chronic sight-threatening diseases must continue to receive primary eye care services directly from Ontario's optometrists; and

"Whereas forcing patients to be referred to optometrists through their family physicians ignores the years of specialized training optometrists undertake to detect, diagnose and treat eye conditions; and

"Whereas almost 140 communities across the province have already been designated as underserved for family practitioners and the government's approach will only exacerbate the problem unnecessarily;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care immediately clarify that the eye examination services they provide to patients at risk for medical conditions will continue to be covered by OHIP and the coverage for these services is not dependent on a patient being referred to an optometrist by a family physician."

I've signed my name.

### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close Ontario's three remaining regional centres for people with developmental disabilities, located in Smiths Falls, Orillia and Blenheim, Ontario;

"Whereas the regional centres are home to more than 1,000 disabled adults, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing the regional centres will have a devastating impact on people with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of the regional centres to extend specialized services, support and professional training to thousands more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Ontario's regional centres for people with developmental disabilities open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

This petition is signed by a number of residents from Chatham, Thamesville and Charing Cross. I, too, sign the petition.

1530

### HALTON RECYCLING PLANT

**Mrs. Julia Munro (York North):** To the Legislative Assembly of Ontario:

"Whereas noxious odours from the Halton Recycling plant in Newmarket are adversely affecting the health and quality of life of residents and working people in Newmarket; and

"Whereas local families have lost the enjoyment of their properties for themselves and their children, face threats to their health and well-being, and risk a decline in the value of their homes; and

"Whereas for the 300 members of the nearby main RCMP detachment, as well as other workers in the area, the odours are making their working conditions intolerable;

"Therefore, we, the undersigned, demand that the Minister of the Environment take immediate action to halt all noxious emissions and odours from the Halton Recycling plant, and take all steps necessary to force Halton Recycling to comply with environmental rules,

including closing the plant if the odour problems continue."

As I am in full agreement, I have affixed my signature. I'm happy to give it to Alistair.

### CREDIT VALLEY HOSPITAL

**Mr. Bob Delaney (Mississauga West):** Before I read the petition, I just want to congratulate my colleague from Haliburton-Victoria-Brock on the successful second reading of her proposal on apprenticeships, having read my own petition on access to trades and professions so often.

I have a petition here from Marilyn Matthews of Greensboro Drive and Sophia Cabral of Northmount Avenue in Mississauga. It's a petition to the Ontario Legislative Assembly on Credit Valley Hospital capital improvements. It reads as follows:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fundraising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients in the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

This is my home hospital. I'm pleased to affix my signature in support and to ask Joshua to carry it.

### ONTARIO FARMERS

**Mr. Ernie Hardeman (Oxford):** I have a petition, signed by a great number of people in the riding of Elgin-Middlesex-London, where the present Minister of Agriculture is the MPP. It is to the Legislative Assembly of Ontario:

"Whereas thousands of Ontario farmers have been forced to take their concerns directly to Queen's Park



because of a lack of response from the Dalton McGuinty government to farm issues; and

"Whereas farming in Ontario is in crisis because of the impacts of BSE, unfair subsidies from other jurisdictions, rising costs for energy and a crushing regulatory burden on farmers; and

"Whereas current prices for farm products do not allow for sustainable agriculture in Canada, with a 10.7% decline in the number of Canadian farms reported between 1996 and 2001;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to consult with Ontario's farmers to develop a long-term strategy to ensure the viability of agriculture in our province that protects our rural way of life, and to work in the short term to alleviate the farm income crisis and listen to the concerns of farmers about the greenbelt."

Obviously, the concern in our farm community is still there. I affix my signature, as I agree with the petition.

### TENANT PROTECTION

**Mr. Tony Ruprecht (Davenport):** I do have a petition here, accompanied by a letter, which is signed by 325 tenants of Doversquare Apartments. I'll read the petition, as it is addressed to the Parliament of Ontario in March 2005. It reads as follows:

"Whereas the so-called Tenant Protection Act of the defeated Harris-Eves Tories has allowed landlords to increase rents well above the rate of inflation for new and old tenants alike;

"Whereas the Ontario Rental Housing Tribunal (OHRT) created by this act regularly awards major and permanent additional rent increases to landlords to pay for required one-time improvements and temporary increases in utility costs and this same act has given landlords wide-ranging powers to evict tenants; and

"Whereas our landlord, Sterling Karamar Property Management, has applied to the Ontario Municipal Board (OMB) to add a fourth high-rise unit to our compound, in order to circumvent city of Toronto restrictions on density and the city's opposition to its project;

"Whereas this project would lead to overcrowding in our densely populated community, reduce our precious green space, further drive up rents and do nothing to solve the crisis in affordable rental housing;

"Whereas this project will drive away longer-term tenants partially shielded from the post-1998 Harris-Eves rent increases, thereby further reducing the number of relatively affordable units in the city core;

"Whereas our own MPP, Liberal Tony Ruprecht, called for a rent rollback (reduction)—

*Interjection.*

**Mr. Ruprecht:** I'm sorry, Mr. Speaker. This is part of the petition and I have to read this, OK? I'm not making this up, because it's right here in black and white.

**The Speaker (Hon. Alvin Curling):** Just keep reading the petition.

**Mr. Ruprecht:** Thank you very much. I appreciate that.

"Whereas our own MPP, Liberal Tony Ruprecht, called for a rent rollback (reduction) at a public event in June 2003 and spoke out against the proposed fourth high-rise at a community meeting in November 2004;

"We, the undersigned, residents of Doversquare Apartments in Toronto, petition the Parliament of Ontario as follows:

"To institute a rent freeze until the exorbitant Tory guideline and above-guideline rent increases are wiped out by inflation;

"To abrogate the Harris-Eves 'Tenant Protection Act' and draw up new landlord-tenant legislation which shuts down the notoriously pro-landlord ORHT and reinstates real rent control, including an elimination of the Tory policy of 'vacancy decontrol.'"

Since I agree with this petition, I will sign my name to it.

### BUSINESS OF THE HOUSE

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** On a point of order, Mr. Speaker: I rise pursuant to standing order 55 to give the House the business for next week.

On Monday, May 16, in the afternoon, the budget motion; in the evening, Bill 194.

On Tuesday, May 17, in the afternoon, the budget motion; in the evening, Bill 176.

On Wednesday, May 18, the afternoon and the evening are to be confirmed.

On Thursday, May 19, the afternoon and the evening are both to be confirmed.

### ORDERS OF THE DAY

#### 2005 ONTARIO BUDGET

Resuming the debate adjourned on May 11, 2005, on the motion that this House approves in general the budgetary policy of the government.

**The Speaker (Hon. Alvin Curling):** The leader of the official opposition.

**Mr. John Tory (Leader of the Opposition):** Thank you, Mr. Speaker, and I'm very glad you're here in the chair for these remarks I'm going to make today. I will have an amendment to move at the end of the period I'm allotted today with respect to the budget because, needless to say, I'm not standing to speak in favour of a motion that endorses the budgetary policy of this government.

We made reference to the fact that this was an ad lib budget, and I think in just about every respect, and it's becoming more obvious by the minute, that's exactly what it was. It starts from the fact that there really is no financial plan that can be relied upon here for the prov-

ince of Ontario. This is now, by our count, and we've probably lost count, the fourth financial plan, but there probably have been more that we've missed—the fourth plan.

Of course, this was a government that came to office promising to balance the budget every year. They then had their first budget, in which they promised to have a balanced budget by 2007. Now we have a plan that makes some sort of sketchy commitment to balancing the budget possibly in 2008, but maybe it could be balanced in 2007, but maybe not, and on it goes from there.

I have absolutely no doubt that when we come to be in this place at the same time next year, we will have yet another plan that has some other date attached to it, or the government and my friend the Minister of Finance will have finally fessed up and said, "You know what? We really don't believe in balanced budgets at all. We're just not going balance it at all." They'll fess up and be straight with the people and tell them, because they really don't believe in it.

It's also an ad lib budget because there are no details in it. There are details in some areas, I'll confess, but there are lots of other areas where there are no details. We had the spectacle today where we had the minister of infrastructure in here who cobbled together some sort of statement overnight, because he could see that there were five different numbers published in five different papers over the last 24 hours on how much the government would be spending on infrastructure this year. Even in his own statements—his own statements, I think, gave a number of \$18 billion that was to be spent, but the budget itself, on page 71, only indicates an allocation of \$11.5 billion in capital. So as usual with our friends opposite here, the numbers just don't add up. They just don't add up.

1540

The teachers, who are of course very supportive of this government—and they have good reason to be, in some respects, in terms of some of the things that have been done: cheques that have been written and so forth—said in their release that vis-à-vis education policy, this budget is short on specifics. You could go right down the list in many different areas. So it really is an ad lib budget.

I also referred to it yesterday as a budget of missed opportunity. I want to talk about that for a couple minutes, because I think that it really was a missed opportunity to do one of the things the government talks about a lot and to do even more of it, but also to do two other things they don't talk about a lot. The extra money that the Treasurer basically had pouring in the door of his offices this past year from the taxpayers—where did it come from? It came from the hard work of people across Ontario. I think I'm right that the amount of personal income tax surplus, I'll call it, that you had over what you expected was \$274 million.

**Hon. Greg Sorbara (Minister of Finance):** That's not a surplus.

**Mr. Tory:** It's a surplus over what you had planned on having. It's more than you budgeted to have; it most

certainly is. The personal income tax revenues were higher than they expected. The corporate tax revenues, going from memory, were, I think, \$1.193 billion higher than what the Minister of Finance had projected in his budget of last year. This reflects the hard work—

**Hon. Mr. Sorbara:** And there's more good news to come.

**Mr. Tory:** This is good news. I agree with my friend the Minister of Finance that it's good news. But what the Minister of Finance doesn't focus on at all is the fact that this results from the hard work and the ingenuity of businesses and people across Ontario. That is why I would argue that when you have that kind of unexpected windfall of revenue, which was not in your plans at all, you should look at a variety of things you should be doing with that money. It's why I advanced the argument yesterday—

*Interjections.*

**Interjection:** The Minister of Finance is heckling.

**The Speaker:** Would you allow the leader of the official opposition to make his presentation. I recall, Minister of Finance, how quiet he was listening to your presentation. Give him the same courtesy.

**Mr. Tory:** What was done with this windfall of money earned by hard-working Ontarians and their businesses was to spend, spend and spend again—not just spending that money, but spending another \$800 million on top of that, because the deficit, in a year when it could have gone down, actually went up, notwithstanding this huge windfall in revenue. It went up, as against what the minister projected it would do for the fiscal year just ended.

I believe, when I talk about a missed opportunity, that there was a missed opportunity to do three things instead of one. The one was spending, and there was lots of that done, for sure. The other two things that I think could have been done, though, would have been to bring about a more significant reduction—in fact, there was no reduction at all—a reduction in the deficit, so that the deficit and spending levels we went into this year with would both have been less, and would have put the province in a stronger financial position entering this year, allowing the province to move toward a balanced budget, with certainty, by 2007. It would have allowed the minister to keep his own commitment, made last year at this time, to balance the budget by 2007.

The second thing that could have been done, and I think should have been done, as a reflection of the fact that we have this windfall of money, is to provide some relief to the people who earned it. I was thinking there, in particular, of the individuals who earned it. The income tax revenue that came in would have allowed for—I gave the example yesterday—a 10% reduction in the Ontario health tax brought in by this government last year. I refer to it as the illegal health tax, because it was and it is, and people are going to have to pay twice as much in dollars out of their pockets this year for their health tax as they did last year. I think some recognition of the fact that people earned a lot more money and paid a lot more tax



to this government than it expected and some relief provided to them, in terms of the health tax, would have been most welcome indeed.

I found when I was campaigning in the by-election, and have found many, many times since—I've had the good fortune to be in, I think, 96 ridings in the province since I became leader of this party—that there are an awful lot of people you meet in every walk of life, particularly people who are just hard-working Ontarians, who say they're getting 2% at the office or at the plant; they're getting 2% at work, whatever it is they do. Some are saying they're getting less than 2% at work. However, they're saying, "I get 2% at work, and then I get the new health tax imposed by the Minister of Finance and Premier McGuinty last year," a huge additional tax burden on them. Then they get the bill from Hydro, indicating that their hydro bill is going up by 5%, 6% or 7%. Then they get their municipal property tax bill, which will, of course, be even higher next year, reflective of the cutbacks in municipal funding we're seeing from this government, which we've catalogued in this House. Those are government-controlled bills of one kind or another that they're getting. They match that against the 2% and add to that, of course, the fact that gasoline and natural gas prices—as I heard the Premier saying on some radio station or other this morning, milk and bread and those prices are all going up. They just look at you and say, "How are we supposed to cope?"

If there had been just the slightest recognition when the Minister of Finance, thanks to the efforts of the people of Ontario, had decided not only that he could have done better in reducing the deficit, not only that he could have invested some money in additional spending on their priorities, whatever they might be—be it health care, education—he could have done that. He could have done some additional reduction on the deficit to a level that would have helped us this year and helped us get closer to a balanced budget by his own chosen deadline of 2007, which he has now said he's not going to meet, or is unlikely to meet, and it would have allowed people to just get some recognition for their hard work and maybe have that money in their own pockets to spend in the economy and create jobs and economic activity as they see fit.

I think that would have been a good sign. It would have increased confidence in the functioning of government and in the management of people's money. It would have given them a small sign, a flicker of recognition from this Minister of Finance and from Premier McGuinty that they understand the fact that the combined weight of all the different charges and taxes and increases in things they, the McGuinty Liberals, control has really made it difficult for people who are getting 2% or less at their work.

Some more meaningful work on the deficit last year, with the revenue windfall the Minister of Finance had, would also have signalled to the people of Ontario that this Minister of Finance and this Premier understand the fact that you can't just keep borrowing and borrowing. I

think the people have come to understand over the last decade or so—I don't know if they did before—that when you run deficits, it is simply added to the debt, and the debt is money on which we pay interest, like everybody else does when they borrow money, and that money has to be paid back in due course, and will have to be paid back out of existing or increased tax revenues and tax increases in the future.

It's interesting to note, and I think it's a good point of comparison—these are points of comparison you can often make with people when you're talking to them, because these numbers are sometimes difficult for us all to comprehend; they're so big—that in 2006 and 2007, the debt interest budget for the province, that is, the interest on the debt, is almost equal to the budget for education. When people hear that kind of thing, I think they do understand, but it brings home the message that we can't just keep borrowing and borrowing, and adding and adding to the debt by incurring deficit after deficit.

If the members opposite in the McGuinty Liberal government cared as much as they say about health care and education and all the other services this government has the responsibility to deal with, they would care more about the deficit and would have taken more decisive action, starting last year when they had a windfall. When you have a windfall in your personal life, if you get a bonus at the office you didn't expect, I admit to you there are some people, whom you would call less than responsible, who would just go out and immediately blow it at a bar or go out and buy something and say, "We're going to spend it all." Most people who get that kind of bonus at the office and have credit card bills would say, "I'd better take at least some of that money and pay down those credit card bills and do something about the debt I have out there, because I've got this unexpected money," but not this government, which decided to spend it all. They spent it all.

**1550**

I'd like to talk about health care for a moment, because I think there is less here than meets the eye. When I say that, I will concede that there is in the budget—I believe I'm right in saying this; I'm sure the Minister of Finance will correct me if I'm not—\$1.8 billion in additional investment. Do you know what? That is good news. There is always good news and bad news, and you've chosen to help me put the good news on the table first. But the bad news is, there is \$2.8 billion in obvious pressures that exist in the system that have gone completely unaddressed. When I talked earlier about this being an ad lib budget that's very short on details, what you have here is another example of that, with the \$1.8 billion that has been allocated, but no mention in the budget whatsoever of things like the \$330 million in accumulated deficits from the past that are left over from last year.

This government had the unbelievable gall to have the hospitals, on threat of dire consequences, submit their reports on how they would balance their budgets. The worst things would happen to them if they didn't do this.

They have sat and they have sat and they have sat on the key parts of those reports submitted by the hospitals of Ontario for months and months now and, even now, in the budget of the Minister of Finance, there is no answer as to what is to be done about that. Unless the answer is just to say, "You're just going to have to eat it," when they've gone out and borrowed that money and so forth, we can only assume that the \$1.8 billion has to include taking into account the \$330 million in deficits that existed as of the end of last year.

On top of that, we have the wage increases that were baked into the system as of the time we began the year. They were negotiated previously; they're in the system; they're going to happen when the new fiscal year begins. Then we add to that some of the specific measures that were announced yesterday in the budget itself, and you end up with a number that is not that far off \$2.8 billion. Of course, it's evidenced further by the fact that you have the comments from people like the Ontario Hospital Association and some of the other stakeholders in the health area. There are just a couple of them here.

We have Nicholas Vlacholias, the CFO of the Cornwall Community Hospital: "The budget increase for hospitals is far lower than what's required to balance the books.... It falls far short of what is required."

Hilary Short—we heard her comments earlier today a number of times in question period—the president of the OHA: "This means that many hospitals could—within weeks—be required to plan reductions to core patient services and for the elimination of up to 4,000 staff positions." She went on to say, in another comment, "We're very disappointed and we're very worried. It looks as though we're facing another challenging year.... It could lead to something in the region of 4,000 layoffs."

Joan Lesmond, the president of the Registered Nurses Association of Ontario, says, "We are concerned about the government's silence on its next steps in reaching its promised 8,000 full-time new nursing positions by 2007."

*Interjection.*

**Mr. Tory:** The ONA president had a comment to make that was even more disconcerting than that. Linda Haslam-Stroud, of the Ontario Nurses' Association, said, "There will be layoffs. We don't believe that the ministry money that's being put out is actually being spent on nurses on the front line."

What we have here is this budget that, again, is short on details and doesn't address these pressures. We have these comments from the people who are on the front lines and responsible for administering these budgets, people who are the head of the nurses' organizations and so on. I would suggest this is a real attempt to sort of mislead or to fail to deal utterly with these issues that total about \$1 billion. I think it is less than responsible to do that, to come forward to this House, bring in a budget that crows about the \$1.8 billion in additional funding and all the wonderful things that are going to be done with it, when it's clear, in response to the question from the member for Whitby-Ajax this afternoon, that they

have no answers on how they're going to deal with these things and meet their targets going forward.

The minister said in the budget speech yesterday—and I remember the quote—"The wait-time strategy is working." I raised yesterday—and he can put his thumbs up. I would ask him the same question I asked the Minister of Health and I asked the Premier once previously, which is that in the event they want to tell us and prove to us that the wait-time strategy is working, all they then need do is show us where the wait times started on any given day, including the day, April 4, when I first asked—

**Hon. Mr. Sorbara:** That's what we're working on.

**Mr. Tory:** He says they're working on it. They're working on everything. If I picked up and read out of this budget all the things they're working on, it would take three hours to read the things they're working on, the studies they're about to commission to think about the possibility of potential legislation in the future, in 2009. This budget is filled with all kinds of things to be done in 2009. But back to the wait-time strategy. There are no numbers whatsoever in the budget or anywhere else that would allow the Minister of Finance to say the wait-time strategy is working. Again, all they've done—they stand up and say they have spent more to finance more procedures of one kind or another, and there's no question that all of us would agree that all those procedures were needed, but what they never were able to tell us—because they can't, because they're not really managing it, because there is no plan and because they don't know—is, "Where did we start in terms of what the waiting list was? And now, after we've invested all of this taxpayers' money, can the taxpayers rest assured, can they be comfortable in the notion, that the money has been well invested and in fact has led to some reduction in the waiting times?" They still can't tell us, yet the minister is able to stand up and say that the wait-time strategy is working.

It is really just more evidence of the pay more, get less health care system that has been operated by this government from the beginning: pay more in the sense that every single individual taxpayer in Ontario will pay out of their pockets twice as many dollars this year as last year for the health tax, and they will end up this year getting less health service than they did last year. We don't need to go into that long list of chiropractors and physiotherapists and a whole host of other things.

Then, maybe we could turn and see if we can find a ray of sunshine for Ontario's farmers. Heavens above, we know—I know, because I spend a lot of time in rural Ontario; my riding is principally rural—that farmers in Ontario are in need of a lot of help. I heard the Minister of Finance say at his press conference yesterday that he's met many farmers across the province who are doing very well indeed. Well, the fact of the matter is that I haven't had the luxury of meeting those people the minister has met. I have spent a lot of time meeting with a lot of farmers across this province, and while I will say to him that some who are in the supply-managed sectors



are doing OK, they will tell you that there is no occasion for celebration among that group of farmers whatsoever.

The dairy farmers, for example: I was on a dairy farm in the riding of the member for Simcoe North last week and they were telling me, for example, of the issues and difficulties they have in culling their herds because the closure of the border has had a very significant impact on their ability to make an income. They counted on that income from the sale of those cows in past years to run their farms and to make their budgets. Now they're basically without that income. Of course, many of those farmers who are in the supply-managed areas are farmers who are also growing some crops. I don't call them cash crops any more, because there's no cash involved.

So I haven't met these farmers. I did suggest yesterday that perhaps the minister was talking about the marijuana farmers. They're the only ones I could think of who are doing well—before they get busted—because there just isn't anybody else.

The question that the minister was being asked by members of the media yesterday—so it was clear that it wasn't just me, and it wasn't just the Ontario Federation of Agriculture that noticed that this government has cut back yet again on its funding for the Ministry of Agriculture and Food—was, “Don't you consider this cut-back, this latest cutback in the budget of Ministry of Agriculture and Food, to be an open invitation to the farmers to come down yet again?” The only time they got attention from the Minister of Agriculture and Food, who stood up today—I was afraid he was going to explode. But he stood up today and talked about all that he had done, and the only time he flinched a muscle, the only time he showed the slightest degree of interest in the farmers of Ontario in terms of getting them any help last year, was after 10,000 of them stood out here on the front lawn of the Legislature and protested—decent people who would never think to come and protest at the Legislature, who had never protested at the Legislature before. He was asked yesterday, “Isn't this an open invitation to come back to protest?” His response to that was, “Gosh, I've met a lot of farmers who seem to be doing OK.” Perhaps you could get me a list of those people because I can tell you I haven't met them at all. I think it demonstrates an insensitivity, frankly, on the part of this government and this minister, and in particular this Premier, and the man who's charged with the responsibility at the cabinet table for standing up and fighting and obtaining resources for the farmers: namely, the Minister of Agriculture and Food.

Again, don't take it from me. Let's take it from a couple of people who've had some things to say about this today in the course of responding to this budget. Ron Bonnett, president of the Ontario Federation of Agriculture, says, “Our initial reaction was, ‘Holy cats, what's going on here?’ We've been making the case for the last number of months that there had to be renewed investment in agriculture. It appears there's been a huge cut.”

Let's have Kevin Durkin, the president of the Hastings Federation of Agriculture: “I can't imagine where the

cuts will be coming from. The agriculture budget has been cut and cut and cut.” I guess he's making that up too; I don't know.

**Hon. Mr. Sorbara:** Yes.

1600

**Mr. Tory:** You're saying he is. Perhaps you should call him and tell him he's making this stuff up.

In any event, then we would have Mr. Bonnett again: “Now we need to be concerned with where the Honourable Steve Peters, Minister of Agriculture and Food, will be making cuts within his ministry ... something's going to suffer.”

Marg Telford, a Peterborough farmer quoted in the Peterborough Examiner: “If things keep going the way they've been going, we'll have to downsize. We'll have to get rid of a farm, we'll have to get rid of some land. We can't keep feeding all these cattle while not making any money. If there's no money being given to farmers, what do you do? You're SOL. There will be a lot of farms going down.” I'm quoting her. I got in trouble for using initials like that earlier today, but that's what she said. I'm quoting Marg Telford, a Peterborough farmer.

What we have here is a government that I think really has turned its back on the farmers, and turned its back on the smaller towns too. We asked about 60 questions in the Legislature about towns that had had confirmed the fact that under the Premier's new so-called fairer deal for municipalities they were going to see very substantial cutbacks. I think they will be in double jeopardy here because what they will see is the impact on their economies in some of these smaller towns and cities and the rural parts of the province, the negative impact on their economies from the fact that the farmers are not doing well. We've seen cutbacks in the Ministry of Agriculture and Food at the same time as we're seeing dramatic cutbacks in the transfer payments from the province of Ontario, which will undoubtedly, as these mayors and reeves and others have said, lead to very significant property tax and commercial tax increases on the local taxpayers in those cities and towns at this time next year.

I really believe this is reflective in the end of some kind of seeming inability on the part of this Minister of Agriculture to stand up and achieve results for his constituency. It's very disappointing because there is no question but that the farmers of Ontario are hurting badly. When you meet these people in the stores, when you meet them on the street, when you meet them on their farms, there is a very palpable sense of despair and anxiety and of just not knowing where to turn. They don't understand how people seemingly can have such a lack of appreciation for what they do in the fact that they feed us. All the way through society there seems to be a lack of recognition for their hard work, and it starts with what has happened here with this government turning its back on rural Ontario.

Let's go to infrastructure for a minute: \$30 billion over five years—or is it? Mr. Sorbara, the Minister of Finance, said yesterday that the plan “contemplates expenditures directly by the province.” When his officials

were asked about this yesterday, they said that the government itself would be financing \$20 billion to \$25 billion over time. That somehow doesn't add up to \$30 billion, and he said yesterday, and I think he even repeated it, or the Minister of Infrastructure did today, that all of the much-vaunted five-year, \$30-billion program would be paid for with public money. The minister said today in his statement that it was funded, and he threw around various numbers that it was funded, yet we just can't find numbers that add up in this budget to anything approaching even this year's part of it. Forget about the outlying years, because every program here requires you to have a telescope to look so far into the future in terms of when this stuff will actually get paid for. But even for this year, where is the money; where do you find it? You just don't find it in this year's budget.

I do want to say this: I welcome the conversion—and it started a couple of months ago—of this Minister of Finance. I remember very well a most excellent article in the *National Post* in which the Minister of Finance was quoted as saying that perhaps it was a trial balloon, for sure, and it was the beginning of his conversion, and obviously he has now converted all of his colleagues across the way to the notion that maybe, just maybe, the odd time, people who are outside of the government might have a good idea or might have a dollar that could be invested, or might have a way of doing something or might have a meaningful role to play in participating in these kinds of projects.

I remember the article in the *National Post*. It was about the Spadina subway extension, which I would be very supportive of. Obviously, if the people in the region of greater Toronto decide that that's the number one transit project, which I believe it should be, then we should take it up. But that day in the *National Post* the minister said, "Well, maybe we could turn to the pension funds." So significant a conversion or partial conversion did the *National Post* consider this that they phoned me and asked what I thought of this. I said that day—I always try to be charitable to the minister—that I welcomed the fact that he recognized that government can no longer be all things to all people, that government simply does not have the resources to do absolutely everything, certainly not on the timetable that some of these things have to be done. The bottom line is, if we don't make some of these investments in transportation, public transit and other public assets, we will be repeating the behaviour of governments over the last very long period of time, of all parties, I would say with respect—Progressive Conservative, Liberal and New Democrat.

For some reason, a lot of the time we think we can treat our public assets differently than we would ever treat our private assets. You would never have a situation where your house is falling down around your ears, the windows falling out, the eavestroughs falling down and holes in the wall, and you said, "Well, let's just leave it." The bottom line is—and the Minister of Finance knows this—that the level of infrastructure investment has been inadequate for many years under governments of all

parties. Part of the reason for that was, at least in the last couple of years, a complete rejection on the part of this government of the fact that maybe it would work to expedite some of this investment if you could get involved and do some of the things that were done by SuperBuild. I believe that this program was half announced in a big rush by the Minister of Infrastructure today because he knew they hadn't announced any detail yesterday. I believe that this really is just SuperBuild. They've kind of dusted it off. SuperBuild was an excellent program that did many good things across the province. They stand today as assets that people are using, buildings people are studying in and all kinds of projects that they are doing.

We had the presidents of pension funds in to see you on Monday.

**Hon. Mr. Sorbara:** They were asking about you.

**Mr. Tory:** I'm sure they were asking about me because they know there is a better-than-even chance—well, I won't say better than even. They know there's a chance—

*Interjection.*

**Mr. Tory:** Do you know what they know? They know that I have been consistent on this throughout in terms of the need and the desirability of having people like the pension funds involved. It was my friend the Minister of Finance and all of his colleagues who absolutely, completely, ideologically and dogmatically rejected that kind of involvement until Monday of this week, or should I say more properly, Friday of last week, when the Minister of Infrastructure got up and made a speech. Suddenly the pension fund presidents are invited in for a meeting. Isn't it interesting that they are invited in on Monday before the budget? Isn't it interesting that all of the government's own capital spending numbers for this year are going down in the principal departments that actually will have these projects in them? I think what happened here is they pulled money out of the budget. They want to do the stuff they know they have to do and they rushed out the minister to make a speech and rushed the pension presidents in. Now they have suddenly become converts to public-private partnerships or wherever they want to call it.

It's revealing that in this year, you have the Ministry of Transportation—I think I'm right with the numbers—spending more on administration of the department than they are on capital, which is the money they use to build roads. That, I think, just says it all. The administrative operating cost of the Ministry of Transportation is \$975 million, the capital budget to build and maintain roads is \$622 million. Only this government could get the gap to the point where they are spending a huge amount more on administration than they are on building roads.

I am trying here to be reflective, on the one hand, of the fact that the government cobbled this together; in fact, they're still cobbling it together. I have my napkin here and I'm willing to send another one over if they need it to finish drawing up the infrastructure plan, because the minister himself said there will be more state-



ments given later. The plan is, as we say, being made up as they go.

Now, let's talk for moment, if we could, about efficiency and modernization. I believe that the goals—and I will say, there are some that are in this budget. In fact, there are previously repeated goals from six or eight months ago to achieve, over the period of the life of the government, a total of \$750 million in efficiencies and other kinds of savings across the government of Ontario. So when you look at the progress to date, and I was looking at it yesterday in the budget, you can see on page 41, they mention courier contracts having been put out for tender. They say that some of the things that have been done to look at business support services will generate savings of \$200 million when fully implemented by 2008. There is no progress report at all on how much has actually been done. I was being charitable and assumed a third or quarter of that has been done, so let's say that's \$50 million. Then we have the government's accommodation cost strategy, which will achieve, by 2007-08, \$50 million. So take a quarter of that, and we've got another—

*Interjection.*

**Mr. Torny:** Thank you very much—\$12.5 million.

Then we have information technology spending, \$100 million total by 2007-08, so \$25 million. Then we have the hodgepodge of other things to do with business practices, for a grand total, over four years, by 2007-08, of \$57 million, so a quarter of that.

I would say that this, on a budget of \$80 billion, is the best they can do, and I'm assuming; I was being charitable in actually saying you've done anything on this list.

**Hon. Mr. Sorbara:** We've already done \$400 million.  
1610

**Mr. Torny:** I say to the Minister of Finance, with the greatest of respect, that he has never come to this House or gone anywhere else and listed it. He came in here last fall and gave his third-quarter statement and he said at that time—I think I remember the number you had achieved—\$330 million of those savings.

**Hon. Mr. Sorbara:** Now we're over \$400 million.

**Mr. Torny:** That's terrific. He's now said they're over \$400 million, but never once has he even had just the courtesy or the respect, or the straightforwardness I would argue, to come into this House and actually catalogue what has been done. What has been done? It's just like the Premier coming in here with his deal with the Prime Minister the other day, and when I said, "Well, could you show us the piece of paper?"—I mean, I've been around. You don't come out of a meeting like that, where you've been negotiating for nine hours and you're going to have a press conference, and not have a single piece of paper on which you've written the deal down. I mean, come on, now.

This Minister of Finance would have us believe that he has achieved, now he says, \$400 million. I'll take him at his word and I'll ask him, then, to come into this House tomorrow—sorry, Monday afternoon at 1:30—

**Hon. Mr. Sorbara:** I'll be here tomorrow if you'll be here.

**Mr. Torny:** I'll be happy to be here if you'll produce the list. Come in here on Monday afternoon at 1:30—it gives them the whole weekend to tabulate the list—and bring us the list of the specific savings. You know what? The list doesn't exist, because if it existed, it would be right here in this budget instead of these vague statements of nothing that has been achieved.

I would say to the minister that, even if he brought the list, he is unambitious in taking a budget of \$80 billion, where the taxpayers know there is a lot more money being wasted than finding \$750 million, which is less than 1%. It's a quarter of 1% being found each year of the life of this government. Having had responsibility for running lots of large organizations and having been around government before, I can tell you that you can do better than finding one quarter of 1% over the course of each year in the life of the government.

I wonder if the Clerk's table could tell me how much time I have left. I'm sorry, I didn't look. I thought it was counting down on the clock. Twenty-two minutes? You can't tell me that. I've no time left. Oh, I'm allowed to talk as long as I want? Never mind, I'll just keep going here.

The other thing I would say to my friend the Minister of Finance is this: I don't know whether it's the good fortune or the misfortune to read the report of the auditor, and I don't know how many members of this House or people outside the House read it from cover to cover, but I did. Oftentimes, the stories in the media focus on who used a credit card—these are important matters—to buy lunch somewhere and so on. There isn't as much focus on some of these other matters that make up this big, thick book, big matters that relate to very large expenditures of government money. I find it interesting that in all of this list here—again, if you had more to say, I'm assuming you'd say it on page 41 or you'd have taken a couple more pages to say it—there really is no mention made here, aside from the vague generalities that are in the Auditor General's report, which are so vague as to be basically meaningless—

**Hon. Mr. Sorbara:** Now you're criticizing the Auditor General.

**Mr. Torny:** No, I'm not. I'm criticizing the government's response to the Auditor General's recommendations in the report, which contain the usual generalities. Frankly, if I tried to give those responses to the comments of the internal audit department when I was running a big company, they'd have called me up on the carpet, but nonetheless, that's a different subject.

**Hon. Mr. Sorbara:** That's what I heard happened.

**Mr. Torny:** It never did. Not once.

Having said that, we don't even have—

*Interjection:* Sure?

**Mr. Torny:** Absolutely sure.

We have listed here no savings or no progress, nothing that could be reported on some of these very big items. I look at the fact that there was, for example, in the Aud-

itor General's report, a comment on all the bad morale in the public service and so forth and so on. There was an absenteeism problem of 12 days average for public servants across the board. That kind of an average you would never see ever allowed to exist in the non-government sector. You couldn't function on that kind of basis. If you did the math on what that would involve in terms of the money it cost the government to either replace those people, or work that doesn't get done, it would be an amount of money well in excess of any of these items, these very timid items, that the minister says he's going to deal with over the course of four years.

These are public servants who, I think, if they had a meaningful program in place to deal with these kinds of issues, you'd also see some of the other issues raised in the Auditor General's report dealt with in that regard, and everybody would be better off. They'd be happier in their work, they'd be away less often, the government would save money and so on.

But there's not a peep of any of that or any of most of what's in this book in terms of other things mentioned that are at the heart of the very large amounts of money that would allow this minister, if he really wanted to do what he said he was going to do, which was a line-by-line, program-by-program analysis, to really go at some of these things that involve big opportunities to save and accord greater respect to the taxpayers' money.

Then we get to page 106, where we have the Minister of Finance talking about the importance that exists to modernize "financial regulation to support a new generation of economic growth." Again, the Minister of Finance and I would agree on that, that it is crucially important.

**Hon. Mr. Sorbara:** So far you've supported everything in the budget.

**Mr. Tory:** The minister wishes that I supported everything in the budget. We'll get to one other thing I support in a couple of minutes.

But I support what you say you want to do. What I don't support is the fact that what we have here is a series of things that, by including them in his budget, the minister concedes are necessary to maintain the strength and viability of one of our most important industries in Ontario, namely, financial services, and then he has all the measures that have to be done. Let's look at the language that's in the budget beside those different items.

"The Minister of Consumer and Business Services will be leading the implementation of a multi-year plan to update" etc.—again, another multi-year plan. These will all go on forever. In fact, when you look at the multi-year plans, they even have 30-year plans. Heaven knows, I want the Minister of Public Infrastructure Renewal to stand up one day and give us the list. I'd love to have the programs for this year. He could bring us this year, which would be super, because there isn't such a list at the moment, and then maybe he could bring us the list of projects that fall into year 30 so we could tell the people who drive on those roads and go to those school buildings that they're in year 30, when I'll be 80 years old and

heaven knows what will be going on. I mean, just the whole notion—

**Hon. Mr. Sorbara:** You'll still be Leader of the Opposition.

**Mr. Tory:** I might be Leader of the Opposition after four or five terms as Premier. Having said that, the Leader of the Opposition's job is a very important job here, and I'm proud to have it for the moment, until October 4, 2007, when I'll be changing jobs. Heaven knows, you might be Leader of the Opposition after that. I understand that's one of your ambitions.

Having said that, then we go down to the five-year review of the Securities Act: "The government remains committed to quickly completing the final steps needed to implement this change." Then we get to the Chair of Management Board and the report on the common securities regulator. The government "is leading work to ensure that, later this year, the next round of legislative changes ... will be introduced."

Then we get down to one of the really good ones, when it comes to the replacement of the Mortgage Brokers Act, and it's obviously important enough to be in this budget: "The government reaffirms its 2004 budget commitment to introduce a bill to replace the Mortgage Brokers Act in 2005." One of the bits of good news about this is that we can probably save money now in terms of the computer work being done; we can actually just change the dates in here, because all this stuff will be in here again next year. It's so important to protect an industry that is vital to the health and welfare of this province that it is—oh, I'm sorry, I forgot one: "The review of the Credit Unions and Caisse Populaires Act is well underway.... The government reaffirms its intention to introduce amendments to the act by fiscal year ending 2006." There's real urgency for you.

In any event, I want to talk about some other disappointments and then talk a little bit about a couple of other things.

Other disappointments: We have been promised time and time again by the Minister of Community Safety and Correctional Services and assorted others that we're going to see 1,000 new police officers on the street. I think we need those police officers. I have been to community after community across the province. Given all the things that we're putting on to the shoulders of our law enforcement officials, whether it's the new work they have to do on child pornography, the new work they have to do keeping track of predators, guns and gangs and so forth, we need those police officers. I ask the question again—back to my point about an ad lib budget: Where's the money? Where are the details? In fact, if you look at the spending of the Ministry of Community Safety, it's going up by a tiny amount, but there is no way that the amount by which the spending of that ministry is—

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** Twenty-seven million.



1620

**Mr. Tory:** Twenty-seven million dollars? Well, if the minister would like to stand in his place now and say that that money is specifically to fund the province's share of half, which the minister confirmed here just a few days ago, then that's super. Let him get up and announce it. Let the municipal police forces and others get on with putting those police officers on the street. We've heard enough of the promises; now they need the police officers to be on the street, in the cars, on the bicycles, walking the beats and keeping our communities safe.

**Hon. Mr. Sorbara:** Done.

**Mr. Tory:** Done. I tell you, don't we all wish it were that easy.

**Municipal funding:** Again, we asked 60 questions in here about municipal funding and about all the prices that will be paid by some towns, big and small, across the province that are going to see brutal reductions to their budgets this year. While they stood up and told me my figures were wrong, while they told me about the people who were getting more, I simply repeated to them over and over again, as I repeat here today: It's some program that takes money away from some people to give it to somebody else. The bottom line is, there are a lot of people being hurt by this new program, and that is going to hurt the taxpayers of those communities, who are going to have to pay very significant increases indeed next year.

I want to just make a reference as well to the very unfortunate commitment made to the forestry industry. Perhaps it's easier to look at the minister's budget statement. It was very easy to find it there because it was so short. Again, it probably illustrates about 12 of the different points I've been trying to make about the ad hockery and the ad lib and all this sort of thing.

**Hon. Mr. Sorbara:** Are you going to quote me?

**Mr. Tory:** Maybe the Minister of Finance could help me with the—there we are. I found it now. It's on page 12 of the budget address. It acknowledges that 30,000 people rely on this industry in the north and elsewhere for their livelihood, and probably many more than that in terms of jobs that are affected by the health or lack of health of the forest industry. Here is the—

**Hon. Mr. Sorbara:** Read the whole speech.

**Mr. Tory:** Well, there's nothing more said about forestry, so I'm going to quote the part that relates to the government's plan for the forestry industry. Here it is; it won't take long: "And we are working on ways to strengthen the forest products sector. It's a very important industry for Ontario—it employs over 30,000 people in the north." Some plan. A very profound statement indeed from the Minister of Finance in his budget.

I'd like to talk about education, and specifically post-secondary education, for just a moment. You know, people often say, including me—and I believe it to be so, in my heart—that in our system, opposition leaders and opposition politicians don't say often enough, when some of the right things are being done, that they're being done. I do welcome the investment being made by this

Premier and by this minister and by this government in post-secondary education. I said yesterday that I think it is something that is right to be done in the interests of not only providing more educational opportunities for more people, but also in ultimately putting in place the kind of stronger foundation we need going forward. I just wish some of the other things were being done in terms of financial management, taxation regime, the regulatory regime and so on—a different story. I might just mention that toward the end. I've touched on a number of these things as we've gone through.

As was said by some of the education and student officials, while there's some good news in here—I welcome, for example, the changing of the thresholds for parental contribution and so on. I think these are good things that are being done. There were often a lot of students in the past where it was assumed their parents were making contributions to the cost of their education when they weren't, for whatever reason. It was often assumed that the parents could. I think these changes to the thresholds are good. But as someone said yesterday—and it applies to so many things: In budgets, and especially when it comes to this government, the devil is indeed in the details.

I think we will have to wait to make sure the minister is good at his word on one of the most important things that people will have to watch in the context of this investment, which is, are we going to make sure we are getting a return—it comes back to the same point I was making about wait times. I don't know. I don't say these things about wait times in a spirit of partisanship; I simply say it as someone who says, "How do you know whether your plan is working for wait times if you can't measure it?" I say the same thing with respect to the investments in post-secondary education. The minister—

**Hon. Mr. Sorbara:** Accountability. Accessibility.

**Mr. Tory:** He said it too. I agree he said it yesterday, but the key is to see what happens ultimately in terms of the measures and policies that are put in place that accompany the money, to make sure we see that it doesn't just go down a black hole, that in fact it does actually improve accessibility and actually improve the quality of the educational experience for the students in Ontario.

I do note the fact that this, like almost every other measure in this entire budget, is back-end-loaded, more so than Mr. Rae would have recommended. I do note that there is, again, a serious lack of detail in terms of the bureaucracy of student aid. When I've had the student groups in—and I'm sure the Minister of Finance has heard this himself, as other members of the House probably have—part of the frustration as well has not just been the quantum of what's available, but the morass of bureaucracy and paperwork you have to go through to actually get the help.

While I welcome the statements of good intention and I welcome some of the principles the minister has said will accompany that investment, the devil will be in the details. I hope it isn't the devil; I hope there is good news in the details when they're forthcoming, and I hope

they're forthcoming soon. I think that's a fair enough thing to expect.

Who is it I ask about how much time I have left here, Mr. Speaker? I'm unclear on that; I'm new.

**Mr. Ted Chudleigh (Halton):** Ten minutes.

**Mr. Tory:** I have 10 minutes. Thank you very much.

I want to conclude by talking about the importance of having a plan and sticking to it. As I said at the outset—unless we have missed some, and that's entirely possible—this is the fourth plan coming from these Liberals in two years.

People out there who are making investments, people out there who are just trying to live their lives, are looking for a number of things. They're looking for consistency. They're looking for consistency on tax policy and for consistency on things like infrastructure. They want to know: Can they participate or not? If we go through these wild swings where one day your participation is welcome—"We want to be your partner; we want you to help us."—and the next day you're seen as the epitome of evil and you're not wanted, your money's not wanted, it's a bad thing, this is very bad. No group has been more inconsistent when it comes to infrastructure and what their policy is than the Liberals.

My friends in the New Democratic Party are consistent. They are opposed to it. They think it's wrong. They have all kinds of comments to make about it. We've been consistently in favour of these kinds of partnerships because we believe that they're necessary, that they work well and so on. Then we have, as usual, as in so many other areas, our friends in the Liberal Party who were deathly against this. Many trees have been killed publishing statements by the Premier and the Minister of Finance about being opposed to these partnerships and so on. But now they're in favour. That's fine; it's OK. I'm just saying that a little consistency would be great. If you could even just keep this policy in favour of these partnerships until you are defeated in October 2007, that would be super, because then we could have two and a half years where we have that consistency of policy.

We need transparency. People are right to be mystified about how it can be the case that you can have a government that claims in its election platform and in its first budget that it's going to hire thousands of nurses, and yet they see with their own eyes in the newspaper, and they see the people on television—the Minister of Health keeps saying we're making this up or that the nurses' association is making it up. They see nurses being laid off. They see the hospital association saying nurses and other people who work in hospitals are going to be laid off. So there is a need for transparency on things like this. You can't say in the budget that you're going to hire, I think, 3,000 more nurses this year and the money is there for it, and then total up all the numbers for the Ministry of Health and find there is absolutely no way they can finance the hiring of those nurses, paying off the deficits, funding the hospitals properly for this year, and all the new initiatives they announced in their budget. They're way short.

People out there need certainty in the economy. People who are going to invest need certainty. Again, I raise infrastructure. They need to know that infrastructure is going to be there. That's why I am happy that we will see what the plan is and when it comes and how many dates, times and places and amounts are attached to it.

I look at the comments on Highways 404 and 427 and what you now call the GTA-Niagara corridor, and it says the government—I'm just going from memory—is going to begin to review options. Heavens above. Those projects have been on the drawing board for years, under various governments. It's time to get on with them. Get the minister to stand in his place and say, "Here's the date, here's the money, here's who our partners are going to be. We're going to get it built and we're going to have it done," and maybe we are actually going to have one thing done by 2007 so somebody can actually go and look at it, as opposed to looking at all the signs you'll put up in 2007. I think the reason these capital spending numbers are alike is because all you're really going to buy are signs. You're just going to buy signs and they'll all be put up in 2007, and there won't be anything built anywhere by anybody. But you'll put up the signs: "Honourable Greg Sorbara, Minister, Premier-to-be." But never mind. I'm completely off topic, Mr. Speaker. I don't know how I can get so badly off topic.

The certainty we need with respect to infrastructure is a plan with dates, times, places, money, projects and partners. I endorse the fact that we're going to have partners to do it.

Let's talk about how much we need to have a welcoming environment in this province to make sure that people want to come here to invest, want to stay here, want to stay invested here and keep creating jobs here. It starts with the last thing people want to see when they come to look at investing. There's a whole bunch of them. They don't want to see inconsistency. They want transparency. They want certainty. They certainly don't want a high-tax environment. I think one of the reasons why is that when the minister was awash in this extra revenue, he might have sent even the smallest of psychological signals to everybody, starting with the hard-working individual taxpayers, who generated \$200-plus million of that money with their hard work for you and for your government; and going all the way through even the business community, where they had said, "If there was the glimmer of recognition on the part of this government and this Minister of Finance that you could just take a little bit off that tax load to respect and recognize," at the same time, you had enough money to bring down the deficit more than you did and to make investments in some of your stated priorities.

1630

The same is true of waste and inefficiency in government. If people from the private sector who look, who are going to invest here, see a government that is truly committed to eliminating waste and mismanagement, it is related to the level of taxation and the level of borrowing and spending, I think they would welcome that. The same



is true with regulation. We see this kind of funny, "Let's have a study to examine the potential of the possibility of maybe one day having a piece of legislation following a report by some consultants," and they say to themselves, "These people are not serious about creating the kind of environment that will result in the maintenance of, let alone new investment in, the financial services industry that is so important to the welfare of this city and of this province. Of course, it's true as well that they don't want to see a high-spending government because they know that a high-spending government means a borrowing government, a high-taxing government, and so forth and so on. Of course, I believe that what they want to see as well is a government with one plan—not four, not six—dates that don't change all the time, promises that are made and kept. I think one of the fundamental—

*Interjection.*

**Mr. Torgo:** The Minister of Finance can say whatever he wants, but the bottom line is that people who lived in this province and who did business in this province would have had good reason to know in their hearts that these people were the people who said they would come to office and not raise taxes, they were going to come to office and balance the budget every year. They then said they were going to balance the budget by 2007, and on it goes, all the different things that they have said.

The result is speaking for itself a bit, because when you don't do those things—and make no mistake. You asked me a question today, or the Premier did, and I actually answered it, which is better than what can be said for what he does most days in this place. But the bottom line is, I answered and said, "No, I would not have gutted the budget of the Ministry of Agriculture, I wouldn't have gutted it. I wouldn't have taken a 25% reduction when these people are in crisis." I said that I would have chosen to use the toolbox differently than you did when it comes to how I would have dealt with the two points.

*Interjection.*

**Mr. Torgo:** You're saying "Fair enough," I think, that I could have used the toolbox differently, but then it's not fair to say that I don't have a view on these things.

I am saying, "Yes, I am." I said yesterday—they asked me a straight question; they got a straight answer—that I wouldn't have tried to balance the budget this year, but I would have tried to balance it for sure by a date certain, not this "Well, maybe we'll kind of try to do it by 2008," or "Well, maybe we can do it by 2007." Next year it will be, "Well, 2008. Maybe we can do that, but it might be 2009." This is no plan. This is no commitment. This is not the discipline that's required to run an organization like this, and to send the message of confidence to people who want to invest or just continue to live in this province. So I said that. If you had asked me yesterday would I have, as part of that use of the different tools of the government of Ontario, given back to the people of Ontario 10%, or perhaps not collected it for this year, because you are collecting twice as much as last year,

then I would have done that. That is exactly what I would have done.

**Hon. Mr. Sorbara:** That's wrong.

**Mr. Torgo:** You say it's wrong, I say it's right. It's the least you could do to reflect the hard work of these people.

The bottom line is that when people don't see the things that cause them to make the decisions to invest and to grow and to create jobs here, then we see a lack of economic growth and a lack of job creation. When you look in this budget, the minister said yesterday that he was using conservative projections. But I'll take his projection. It's the one that's in our budget—

**Hon. Mr. Sorbara:** "Cautious."

**Mr. Torgo:** "Cautious"; I'm sorry. Did I say "conservative?" I was sitting in the lock-up watching you speak yesterday, and I said, "He should have said 'conservative.'" The minister is quite right. He said "cautious" yesterday. He should have said "conservative"—but nonetheless.

He has a 2.0% economic growth in the province next year, and he has 65,000 jobs. It's great that there are 65,000 jobs being created, but that is far fewer than was the case last year. It is far fewer than should be the kind of productivity of the Ontario economy. I would suggest to you that there are a number of factors influencing that. The minister talked about some of them yesterday, but I would suggest to you that among the things that are impacting on the decisions people are making or not making about investing and creating jobs in this province are the lack of plans, the lack of consistency, the lack of transparency, the lack of infrastructure, the spending habits, the borrowing habits, the taxing habits, and some of the new legislation in the area of labour and other places that causes people to pause and say, "Can I rely on that environment in this province? Can I put my money there? Can I build my plant? Can I put my money there and create jobs for people, or do I have to worry about where these people are going?"

The same with the health care system. I think you said yesterday—I'm not sure whether it was in your paper or somewhere—that the health care system represents an important competitive advantage for us in terms of the kind of health care system we have. When people see—and I've had people tell me this, so I'm not relying on making it up or reading a clipping—the health care system in a state that's more chaotic than it should be in terms of the doctor shortage, which, quite frankly, is not being addressed, or in terms of the insecurity that people are feeling about all the programs being funded going forward, that has a negative impact on investment decisions.

When people see a taxation regime they consider to be unfair and where there really is no consideration, the minister throws up his hands and says, "It's not possible to show that glimmer of recognition to investors and hardworking people, that when I, the Minister of Finance, have \$2.6 billion in extra money, I will give a small nod to the people who worked hard to produce that revenue

and put it back into the economy where they can spend it," at the same time as he seemed to have no trouble at all spending that money. He had no trouble making decisions to spend it; he had no trouble at all. My use of the toolbox would have said, "Spend some, apply some to your deficit, and give a little, tiny bit—just a little, tiny bit—back to people."

At the end of the day, this is a plan that is no plan. This is ad hockery at its best and at its worst—its best in the sense that it's a fine effort at ad hockery, but it's at its worst because it is going to do things to the economy over time that are not going to be helpful. I just think there's so much more that needs to be done and requires a much more focused and determined and detailed effort on the part of this government. I look at every single one of the important elements—infrastructure, health care and down the list—and see that there just isn't the detail there. Every one of these things, I think almost without exception, has deadlines out into 2009 and 2010. That speaks to a lack of desire to be held accountable, because what the government does want to do, most of all, is to go to the election in 2007, when they already have enough problems based on all their past sins, let alone any that are committed after today—they don't want to go to the election in 2007 and say, "Yes, that program has been completed; here are the results." They'll be able to say, just like all this baffleleg on page 106, "We are studying a way to enable possible legislation to be introduced sometime when somebody's finished a report at some point in time or other."

I'm happy to have had this opportunity to say these very few words. You know, it's hard, because I like the Minister of Finance. He is a personable man. I said in my speech at the very successful—and I should underline "very successful"—fundraising dinner we had the other night—more than 2,000 people there. Rhetorically I asked the question: Did I think that Mr. McGuinty was really doing these things—no plan, no accountability, no real goals that are stated, no transparency—to harm the Ontario economy? I answered my own question. I said no, I didn't think that was the case; I just thought he was in over his head and that the government was in over their heads on this.

In the case of my friend the Minister of Finance, I'm sure what is happening over there in that cabinet room, the same cabinet room that is seeing the Minister of Agriculture and Food routinely beaten down when he tries to say a word on behalf of the beleaguered Ontario farmers, is that this man, who has a background in business and understands the importance of goals and accountability and measuring results and really seriously looking hard for waste and inefficiency and having meaningful goals to meet—I think this man gets beaten down too. That's what happens. It may well be connected to all the political intrigue of the Liberal Party; I'm not sure. I've heard reports. But never mind; that's for another day.

I would move that the motion moved by the Minister of Finance on May 11, namely, "That this House ap-

proves in general the budgetary policy of the government," be amended by deleting the words after "That this House" and adding thereto the following:

"Recognize that this budget is the latest in a series of ever-changing fiscal plans and that:

"The government has provided inadequate support to Ontario's hospitals, putting timely access to care in jeopardy;

"The government is failing Ontario's farmers by cutting funding by 23.1% this year, on top of the 20% budget cut last year;

"The government has laid out no specific plan for meeting Ontario's infrastructure needs and has not explicitly budgeted for those needs;

"Taxpayers will pay double the amount in health taxes this year, despite a promise by the Premier not to raise taxes at all;

"The government has done little to nothing specific to meaningfully attack waste and mismanagement in the government on a budget of \$80 billion; and

"These failures, these broken promises, these high taxes, high deficits, wasteful spending and burdensome regulations will harm Ontario's economy and create a climate which will discourage investment and jobs in Ontario.

"Therefore, this House has lost confidence in this government."

**The Speaker:** Mr. Tory moves that the motion moved by the Minister of Finance on May 11, "That this House approves in general the budgetary policy of the government," be amended by deleting the words after "That this House" and adding thereto the following:

"Recognize that this budget is the latest in a series of ever-changing fiscal plans and that:

"The government has provided inadequate support to Ontario's hospitals, putting timely access to care in jeopardy;

"The government is failing Ontario's farmers by cutting funding by 23.1% this year, on top of the 20% budget cut last year;

"The government has laid out no specific plan for meeting Ontario's infrastructure needs and has not explicitly budgeted for those needs;

"Taxpayers will pay double the amount in health taxes this year, despite a promise by the Premier not to raise taxes at all;

"The government has done little to nothing specific to meaningfully attack waste and mismanagement in the government on a budget of \$80 billion; and

"These failures, these broken promises, these high taxes, high deficits, wasteful spending and burdensome regulations will harm Ontario's economy and create a climate which will discourage investment and jobs in Ontario.

"Therefore, this House has lost confidence in this government."

Further debate?

**Mr. Peter Kormos (Niagara Centre):** I move adjournment of the debate, please.



**The Speaker:** The member has moved adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** On a point of order, Mr. Speaker: I believe we have unanimous consent to revert to motions and to move a motion without notice regarding the standing committee on social policy.

**The Speaker:** Do we have unanimous consent? We have no unanimous consent.

*Interjections.*

**The Speaker:** Order. Could we have order, please?

**Mr. Kormos:** On a point of order, Mr. Speaker: I seek unanimous consent to move that this House adjourn for five minutes.

**The Speaker:** Do we have unanimous consent for adjournment for five minutes? Agreed.

The House is in recess for five minutes.

*The House recessed from 1644 to 1649.*

## MOTIONS

### COMMITTEE SITTINGS

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** Mr. Speaker, on a point of order: I believe we have unanimous consent to revert to motions and to move a motion without notice regarding the standing committee on social policy.

**The Speaker (Hon. Alvin Curling):** Do we have unanimous consent? Agreed.

**Hon. Mr. Caplan:** I move that, in addition to its regularly scheduled meeting time, the standing committee on social policy be authorized to meet on Wednesday, May 18, 2005, and Thursday, May 19, 2005, for the purpose of considering Bill 183, An Act respecting the disclosure of information and records to adopted persons and birth parents.

**The Speaker:** Mr. Caplan moves that, in addition to its regularly scheduled meeting time—

**Hon. Mr. Caplan:** Dispense.

**The Speaker:** Dispense.

Further debate?

**Mr. Norman W. Sterling (Lanark-Carleton):** I want to express my opposition to this particular motion, which is intended to pass this bill within a very short period of time. This bill deals with the disclosure of adoption records to adoptees and the natural parents of those adoptees, going back as long as 30 or 40 years. It's a retrospective law which changes the rules that people agreed to 30 or 40 years ago. It does not give the adoptee or the natural parent the power to control the disclosure of the adoption record.

I believe that the proper way to go forward with the procedure is to advertise widely across Ontario that this bill is before the Legislature, that there are hearings and that people who are concerned about this huge breach of their privacy have the opportunity to appear in front of the committee.

That's why I object to the motion, which is going to bring those public hearings on within the next week or two. We will probably pass this bill before we rise on June 9. I do not feel that there is sufficient notice for people all across Ontario to know what's going on in this Legislature. That's why I believe it's wrong to proceed this quickly. I think it is more prudent for this Legislature, when we are making a retrospective law which is going to have a tremendous effect on a whole number of people's lives, we owe it to the citizens of Ontario to let them know what is happening here so that they can come here and make their presentations.

This law allows only the adoptee or the natural mother to say, "I don't want to be contacted by the other party." Quite frankly, that part of the law will never work, because neither a natural mother nor an adoptee would ever invoke that kind of litigation against the other party.

I feel very strongly on this bill. I and my caucus believe very much that maybe the law should be changed going forward, and we don't object to that. But this motion contracts this into a very short time period. People who would like to appear on the other side, who have many concerns about this breach of privacy, are not going to know what has happened to them until that knock comes on the door.

**The Speaker:** Further debate?

Mr. Caplan moves that, in addition to its regularly scheduled meeting time, the standing committee on social policy be authorized to meet on Wednesday, May 18, 2005, and Thursday, May 19, 2005, for the purpose of considering Bill 183, An Act respecting the disclosure of information and records to adopted persons and birth parents.

Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those against, please say "nay."

I think the ayes have it. Carried.

**Hon. Mr. Caplan:** Mr. Speaker, I move adjournment of the House.

**The Speaker:** All those in favour, please say "aye."

*Interjections.*

**The Speaker:** Order.

All those in favour, please say "aye."

All those against, say "nay."

I think the ayes have it. Carried.

The House stands adjourned until 1:30 of the clock on Monday.

*The House adjourned at 1655.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie</b> (L) Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiles et de l'Immigration
Ancaster-Dundas-	McMeekin, Ted (L)		
Flamborough-Aldershot			
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N.</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative		
	Prue, Michael (ND)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Beaches-East York /		Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona</b> (L) Minister of the Environment / ministre de l'Environnement
Beaches-York-Est			Mitchell, Carol (L)
Bramalea-Gore-Malton-	Kular, Kuldeep (L)	Huron-Bruce	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Springdale		Kenora-Rainy River	
Brampton Centre /	Jeffrey, Linda (L)		<b>Gerretsen, Hon. / L'hon. John</b> (L) Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Brampton-Centre		Kingston and the Islands / Kingston et les îles	Milloy, John (L)
Brampton West-Mississauga /	Dhillon, Vic (L)		
Brampton-Ouest-Mississauga			
Brant	Levac, Dave (L)	Kitchener Centre / Kitchener-Centre	Witmer, Elizabeth (PC)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kitchener-Waterloo	Van Bommel, Maria (L)
Burlington	Jackson, Cameron (PC)	Lambton-Kent-Middlesex	Sterling, Norman W. (PC)
Cambridge	Martiniuk, Gerry (PC)	Lanark-Carleton	Runciman, Robert W. (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Leeds-Grenville	Matthews, Deborah (L)
Davenport	Ruprecht, Tony (L)	London North Centre / London-Centre-Nord	
Don Valley East /	<b>Caplan, Hon. / L'hon. David</b> (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher</b> (L) Minister of Labour / ministre du Travail
Don Valley-Est	Wynne, Kathleen O. (L)	London-Fanshawe	Ramal, Khalil (L)
		Markham	Wong, Tony C. (L)
Don Valley West /		Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S.</b> (L) Minister of Transportation / ministre des Transports
Don Valley-Ouest			Fonseca, Peter (L)
Dufferin-Peel-	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Mississauga East / Mississauga-Est	
Wellington-Grey	O'Toole, John (PC)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Durham	Colle, Mike (L)	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Eglinton-Lawrence	<b>Peters, Hon. / L'hon. Steve</b> (L) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Nepean-Carleton	Baird, John R. (PC)
Elgin-Middlesex-London		Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
		Niagara Falls	Craiton, Kim (L)
Erie-Lincoln	Hudak, Tim (PC)	Nickel Belt	Martel, Shelley (ND)
Essex	<b>Crozier, Bruce</b> (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Nipissing	Smith, Monique M. (L)
	Cansfield, Donna H. (L)	Northumberland	Rinaldi, Lou (L)
		Oak Ridges	Klees, Frank (PC)
Etobicoke Centre /		Oakville	Flynn, Kevin Daniel (L)
Etobicoke-Centre		Oshawa	Ouellette, Jerry J. (PC)
Etobicoke North /		Ottawa Centre / Ottawa-Centre	Patten, Richard (L)
Etobicoke-Nord	Qaadri, Shafiq (L)		
Etobicoke-Lakeshore	Broten, Laurel C. (L)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Sandals, Liz (L)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Scott, Laurie (PC)		
Halton	Chudleigh, Ted (PC)		
Hamilton East /	Horwath, Andrea (ND)		
Hamilton-Est			



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton</b> (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Stoney Creek Stormont–Dundas– Charlottenburgh Sudbury	Mossop, Jennifer F. (L) Brownell, Jim (L)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim</b> (L) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Thornhill Thunder Bay–Atikokan Thunder Bay–Superior North / Thunder Bay–Superior– Nord	<b>Bartolucci, Hon. / L'hon. Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines Racco, Mario G. (L) Mauro, Bill (L) Gravelle, Michael (L)
Ottawa–Orléans	McNeely, Phil (L)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David</b> (L) Minister of Natural Resources / ministre des Richesses naturelles Bisson, Gilles (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine</b> (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Timmins–James Bay / Timmins–Baie James	<b>Smitherman, Hon. / L'hon. George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Oxford	Hardeman, Ernie (PC)	Toronto Centre–Rosedale / Toronto–Centre–Rosedale	Churley, Marilyn (ND) Marchese, Rosario (ND)
Parkdale–High Park	<b>Kennedy, Hon. / L'hon. Gerard</b> (L) Minister of Education / ministre de l'Éducation	Toronto–Danforth Trinity–Spadina Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg</b> (L) Minister of Finance / ministre des Finances
Parry Sound–Muskoka	Miller, Norm (PC)	Waterloo–Wellington	<b>Arnott, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Perth–Middlesex	Wilkinson, John (L)	Whitby–Ajax Willowdale	Flaherty, Jim (PC) Zimmer, David (L)
Peterborough	Leal, Jeff (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra</b> (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight</b> (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Prince Edward–Hastings	Parsons, Ernie (L)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	York North / York-Nord	Munro, Julia (PC)
Sarnia–Lambton	Di Cocco, Caroline (L)	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Sault Ste. Marie	Oraziotti, David (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)		
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités		
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry</b> (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement		
Scarborough–Rouge River	<b>Curling, Hon. / L'hon. Alvin</b> (L) Speaker / Président		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J.</b> (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St. Paul's	<b>Bryant, Hon. / L'hon. Michael</b> (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

## STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE

### **Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: John O'Toole  
Wayne Arthurs, Caroline Di Cocco, Andrea Horwath,  
Cameron Jackson, Kuldeep Kular, Phil McNeely  
John Milloy, John O'Toole, Jim Wilson  
Clerk / Greffier: Trevor Day

### **Finance and economic affairs / Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Toby Barrett, Mike Colle, Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell, John O'Toole,  
Michael Prue, John Wilkinson  
Clerk / Greffier: Trevor Day

### **General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Vic Dhillon  
Marilyn Churley, Vic Dhillon, Brad Duguid,  
Linda Jeffrey, Jean-Marc Lalonde,  
Deborah Matthews, Jerry J. Ouellette,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Tonia Grannum

### **Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Présidente: Andrea Horwath  
Lorenzo Berardinetti, Michael Gravelle,  
Andrea Horwath, Tim Hudak,  
David Oraziotti, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona  
Clerk / Greffière: Susan Sourial

### **Justice Policy / Justice**

Chair / Président: Shafiq Qadri  
Vice-Chair / Vice-Président: Bob Delaney  
Michael A. Brown, Jim Brownell, Bob Delaney,  
Kevin Daniel Flynn, Frank Klees, Peter Kormos,  
Shafiq Qadri, Mario G. Racco, Elizabeth Witmer  
Clerk / Greffier: Katch Koch

### **Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Donna H. Cansfield, Bob Delaney,  
Ernie Hardeman, Rosario Marchese, Ted McMeekin,  
Norm Miller, Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffier: Douglas Arnott

### **Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Laurel C. Broten, Jim Flaherty, Shelley Martel,  
Bill Mauro, Julia Munro, Richard Patten,  
Liz Sandals, Norman W. Sterling, David Zimmer  
Clerk / Greffière: Susan Sourial

### **Regulations and private bills / Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Marilyn Churley  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Marilyn Churley, Kim Craiton,  
Kuldeep Kular, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Maria Van Bommel, Tony C. Wong  
Clerk / Greffière: Tonia Grannum

### **Social Policy / Politique sociale**

Chair / Président: Mario G. Racco  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Arnott, Ted Chudleigh, Kim Craiton,  
Peter Fonseca, Jeff Leal, Rosario Marchese,  
Mario G. Racco, Khalil Ramal, Kathleen O. Wynne  
Clerk / Greffière: Anne Stokes



## TABLE DES MATIÈRES

**Jeudi 12 mai 2005**

### **AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS**

<b>Loi de 2005 sur le Registre des implants mammaires,</b> projet de loi 192, <i>M<sup>me</sup> Churley</i> Adoptée .....	7016
<b>Loi de 2005 modifiant la Loi sur l'apprentissage et la reconnaissance professionnelle,</b> projet de loi 191, <i>M<sup>me</sup> Scott</i> Adoptée .....	7016

### **DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES**

<b>Subventions destinées à l'éducation</b> M. Kennedy .....	7020
M. Klees .....	7023
M. Marchese .....	7024

### **MOTIONS ÉMANANT DU GOUVERNEMENT**

<b>Budget de l'Ontario de 2005,</b> avis de motion numéro 364 émanant du gouvernement, <i>M. Sorbara</i> Débat ajourné .....	7048
--	------

# CONTENTS

Thursday 12 May 2005

## PRIVATE MEMBERS' PUBLIC BUSINESS

<b>Breast Implant Registry Act, 2005,</b>	
Bill 192, <i>Ms. Churley</i>	
Ms. Churley .....	7001, 7008
Ms. Mossop .....	7002
Mr. Dunlop .....	7003
Mr. Prue .....	7005
Mrs. Mitchell .....	7006
Ms. Scott .....	7007
Ms. Horwath .....	7007
Agreed to .....	7016
<b>Apprenticeship and Certification Amendment Act, 2005,</b>	
Bill 191, <i>Ms. Scott</i>	
Ms. Scott .....	7008, 7016
Mr. Leal .....	7010
Mr. Dunlop .....	7011
Ms. Horwath .....	7012
Mr. Wilkinson .....	7013
Mr. Arnott .....	7014
Ms. Churley .....	7015
Mr. McMeekin .....	7015
Agreed to .....	7016

## MEMBERS' STATEMENTS

<b>Police officers</b>	
Mr. Dunlop .....	7017
<b>Post-secondary education</b>	
Ms. Mossop .....	7017
Mr. Fonseca .....	7018
Mr. Duguid .....	7018
Mr. Levac .....	7019
<b>Agriculture funding</b>	
Mr. Barrett .....	7017
Mr. Runciman .....	7018
<b>Public health</b>	
Ms. Churley .....	7018
<b>Ontario budget</b>	
Mr. Wilkinson .....	7019

## MOTIONS

<b>Committee sittings</b>	
Mr. Duncan .....	7019
Agreed to .....	7019
Mr. Caplan .....	7049
Mr. Sterling .....	7049
Agreed to .....	7049

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Post-secondary education</b>	
Mrs. Chambers .....	7020
Ms. Scott .....	7023
Mr. Marchese .....	7024
<b>Education funding</b>	
Mr. Kennedy .....	7020
Mr. Klees .....	7023
Mr. Marchese .....	7024
<b>Health care funding</b>	
Mr. Smitherman .....	7021
Mr. Baird .....	7023
Ms. Martel .....	7024
<b>Infrastructure program funding</b>	
Mr. Caplan .....	7022
Ms. Scott .....	7023
Mr. Prue .....	7024

## ORAL QUESTIONS

<b>Ontario budget</b>	
Mr. Tory .....	7025
Mr. McGuinty .....	7025
<b>Agriculture funding</b>	
Mr. Tory .....	7026
Mr. Peters .....	7026, 7029, 7030, 7031
Mr. Kormos .....	7029
Mr. Hardeman .....	7030
Mr. Hoy .....	7031
<b>Infrastructure program funding</b>	
Mr. Prue .....	7027
Mr. McGuinty .....	7027
Mr. Caplan .....	7027
<b>Social services</b>	
Mr. Prue .....	7028
Mr. McGuinty .....	7028
Ms. Pupatello .....	7028
<b>Post-secondary education</b>	
Mr. Arthurs .....	7029
Mrs. Chambers .....	7030
<b>Nurses</b>	
Ms. Martel .....	7031
Mr. Sorbara .....	7031
Mr. Smitherman .....	7031
<b>Health care funding</b>	
Mr. Flaherty .....	7032
Mr. Sorbara .....	7032
<b>Highway 69</b>	
Mr. Bisson .....	7032
Mr. Bartolucci .....	7033

## Health care

Ms. Wynne .....	7033
Mr. Smitherman .....	7033, 7034
Mr. Klees .....	7034

## PETITIONS

<b>Community health centre</b>	
Ms. Scott .....	7034
<b>Anaphylactic shock</b>	
Mr. Delaney .....	7034
<b>Leslie M. Frost Centre</b>	
Ms. Scott .....	7034
<b>Refundable containers</b>	
Mr. Ruprecht .....	7034
<b>Eye examinations</b>	
Mr. Flaherty .....	7034
<b>Regional centres for the developmentally disabled</b>	
Mr. Hoy .....	7034
<b>Halton Recycling plant</b>	
Mrs. Munro .....	7034
<b>Credit Valley Hospital</b>	
Mr. Delaney .....	7034
<b>Ontario farmers</b>	
Mr. Hardeman .....	7034
<b>Tenant protection</b>	
Mr. Ruprecht .....	7034

## GOVERNMENT MOTIONS

<b>2005 Ontario budget, government notice of motion number 364,</b>	
<i>Mr. Sorbara</i>	
Mr. Tory .....	7034
Debate adjourned .....	7034

## OTHER BUSINESS

<b>Visitors</b>	
Mr. Duncan .....	7034
<b>Business of the House</b>	
Mr. Caplan .....	7034

Continued overle





No. 146A

N° 146A

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 16 May 2005**

**Lundi 16 mai 2005**

**Speaker**  
Honourable Alvin Curling

**Président**  
L'honorable Alvin Curling

**Clerk**  
Claude L. DesRosiers

**Greffier**  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 16 May 2005

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 16 mai 2005

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### HEALTH PREMIUMS

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** I wish to point out a bit of a bait and switch in this year's budget. Just last year, this government cried poor in order to take between \$300 and \$900 out of the pockets of working people in Ontario for what was referred to as a health premium; maybe it was a tax. It was an illegal health tax, essentially. In their next breath, the government turned around and delisted key OHIP services, many that our most vulnerable people rely on. After announcing billions in extra taxpayer-funded revenue last week, the budget still remains in deficit and calls for not one red cent of extra revenue to go back to those same working Ontarians we depend upon to continue to drive our economy.

If this illegal health tax had led to shorter waiting lists and stability in our hospitals, that would be one thing, but that's simply not the case. Waiting lists grow; nurses continue to be laid off, and we've heard that the lack of support will lead to thousands more leaving in the next year. Where has that extra revenue gone? Has it gone to more bureaucracy? Has it gone to higher salaries? This, while deserving rural communities, some in my riding, are shut out of needed infrastructure funding. When is this government going to do the right thing and return at least part of that illegal health tax to the rightful owners?

#### STRATFORD FESTIVAL

**Mr. John Wilkinson (Perth–Middlesex):** On May 30, the Stratford Festival of Canada will mark the opening of its 53rd season with a production of *The Tempest*, one of Shakespeare's great late romances, starring the great Canadian actor William Hutt as Prospero.

Drawing audiences of more than 600,000 each year, the festival season runs from April to November and includes, this year, a wonderful array of 15 productions offered at our four theatres, including three by Shakespeare himself. If that were not enough, the season also includes a full program of fringe activities, including concert recitals, discussion sessions and readings by celebrated authors.

This past weekend, I was very pleased to join Premier McGuinty as we attended a performance of *Hello, Dolly!*

one of two musicals being staged at the festival this summer. A must-see, the musical is highly entertaining and good for all ages.

Our government is committed to the arts, as Ontario's culture helps bind us together and provides the basis for vibrant economic growth. This past winter, the Stratford Festival of Canada received \$60,000 from the Ministry of Tourism and Recreation through the industry partners proposal program to specifically market the Stratford Escapes festival package program into the Michigan market.

On a more local note, I invite all members and their constituents to visit the Stratford Festival this season, and I stand ready to assist them.

Finally, I want to commend artistic director Richard Monette and executive director Antoni Cimolino for the creation of yet another wonderful festival season.

#### ONTARIO BUDGET

**Mrs. Julia Munro (York North):** After hearing the budget speech last week, my constituents have one big question for the McGuinty Liberals: How do you raise taxes one year and then run a big deficit the next year?

Before the election, the McGuinty Liberals first claimed there would be a \$5-billion deficit and then wrote an election plan saying there was no deficit. They made a solemn promise to the people that they would not run deficits and would not raise taxes. Dalton McGuinty gave his personal, solemn word. He signed the pledge. He said he had a plan. He said we could trust his word, that he would not raise our taxes and that he would balance the budget.

Then they took power and said that the deficit was \$5.6 billion, so they broke their solemn election promise and raised taxes.

What happened to the deficit? It's still there. Even after raising taxes, they cannot balance the books. They have embarked on a spending spree. Spending is up \$5.5 billion this year alone. The McGuinty Liberals can't make the hard decisions needed, so they solve their problems by spending.

The PC Party has the experience of cleaning up the mess left behind by tax-and-spend governments. We did it once, and we will do it again under the leadership of John Tory.

#### PENSION FUNDS

**Ms. Andrea Horwath (Hamilton East):** Saturday's *Globe and Mail* exposed a restructuring proposal cooked

up by Stelco management that would curtail employee pension rights and slow down the rate at which the company repays its employee pension plan.

As a member from the city of Hamilton, I can tell you that Stelco workers, pensioners, salaried employees and retirees are very upset about what has happened to their pensions. Instead of being invested wisely and kept secure for their employees' retirement years, those pensions were depleted by the firm, which is now under bankruptcy protection.

News of Stelco's plan to freeze pensions for 11 years, until 2016, has fed the employees' mistrust. The government shouldn't allow a freeze. For a full year and a half, under creditor protection, Stelco hasn't done anything to improve their billion-dollar pension gap. Seniors, pensioners and retirees have been sick with stress and worry, watching this nightmare unfold.

The NDP believe it's high time to review the pension laws and reform them so that people's retirement savings and security are truly protected.

The Ontario government has a major role to play, but the McGuinty Liberals are behaving like tourists watching the world go by. The McGuinty government should be aggressive in dealing with the Stelco pension issue. Any financing deal approved by the government must have a significant down payment on the unfunded pension liability and a clear plan to pay off the remainder of the gap within the five-year time frame allowed under the law.

If the pension repayment schedule extends beyond the five-year frame, the government should simply use all the tools at its disposal to guarantee the outstanding amount to ensure ironclad protection for Stelco workers.

If they really care about the workers, whose money is at risk, the McGuinty Liberals should step up with meaningful financial guarantees that take the heat off the employees and put it on Stelco, where it belongs.

### HEALTH CARE

**Mr. Bob Delaney (Mississauga West):** I would like to talk about an important measure in the recent Ontario budget that will help our province fight cancer and deliver accessible, high-quality services.

One of the most important accomplishments is the reduction of wait times throughout the province. Our recent budget will increase the number of cancer surgeries by an additional 2,900 in this year alone.

Families and individuals around the province and the Canadian Cancer Society all welcome the move toward a more coordinated cancer research system. Of the government's approach to reducing cancer waiting lists, Peter Goodhand, CEO, Ontario division of the Canadian Cancer Society, says, "This is good news."

We are moving forward with an aggressive plan to keep Ontarians healthy. We have introduced a number of proactive measures to reach these goals.

### 1340

To improve and protect universal health care in Ontario, we passed the Commitment to Medicare Act, which banned "pay your way to the front of the line" health care.

To address the number one killer in Ontario, we have introduced legislation to make public places and work places in Ontario smoke-free within three years. We've also launched a province-wide ad campaign aimed at youth, stupid.ca, and supported a toll-free smokers' help line.

To shorten hospital waiting times, we initiated a wait-times strategy by investing \$107 million this year to reduce waiting times in five key areas: cataract surgery, cancer surgery, cardiac procedures, hip and knee joint replacements, and MRI/CT exams.

### ONTARIO BUDGET

**Mr. Frank Klees (Oak Ridges):** Will Ontario voters be fooled again? That is the question that comes to mind following the McGuinty budget, which once again promises to do everything for everyone. Ontario has heard promises from Dalton McGuinty and the Liberals before, and they have been disappointed before.

They were told there would be no new taxes before, and that promise was broken when every hard-working Ontarian was slapped with the illegal McGuinty health tax. It was illegal because it was imposed despite the fact that legislation existed at the time that made it illegal to impose a new tax without the consent of the taxpayers by way of a referendum.

Ontarians were told, once again, that there would be no new taxes, but Dalton McGuinty forgot to tell taxpayers that his illegal health tax would hit them twice as hard this coming year by making us pay twice as much for fewer services. Once again he has broken trust with the people of this province through longer waits, fewer services and fewer medical doctors to deliver those services.

Is it any wonder that people in this province have lost faith in this government, have lost trust in the Premier, with fewer services and twice as much to pay in their health tax? It will not be forgotten by the people of Ontario.

### RESEARCH AND DEVELOPMENT

**Ms. Judy Marsales (Hamilton West):** I'm the good news. I rise in the House today to recognize the commitment that the McGuinty government made to McMaster University's research park in the 2005 budget.

McMaster University will turn a former factory site known as Camco into an idea factory with the help of this government. This \$10-million contribution is the first contribution by a senior level of government and will finance the next stage of development of a life sciences research park to be completed by 2007. When fully developed, the research and technology park will house



over one million square feet of laboratory, office, teaching and training space, as well as conference facilities.

In his budget speech, the Minister of Finance said, "Research is at the core of intelligent societies.... It's the fuel of our economic engine." These are not just words. This investment in the innovation park in Hamilton shows our commitment to R&D. Brian Wilson, president of the Hamilton Chamber of Commerce, acknowledged this as a key investment in the city's future.

We in Hamilton West are extremely proud of our academic institutions. The \$6.2-billion investment in post-secondary education shows that this government shares our values and recognizes the talents in our academic institutions and in our citizens in Hamilton. The investment in the McMaster innovation park is just another sign of the vitality of Hamilton's economic future.

### NURSES

**Ms. Laurel C. Broten (Etobicoke-Lakeshore):** Last week, we celebrated and learned from nurses across Ontario during 2005's Take Your MPP to Work Week. In Etobicoke-Lakeshore, I personally saw the passion that nurses have for their jobs.

As we all know, nursing is key to quality health care. Last week, I had the opportunity to attend Trillium Health Centre's nursing awards and excellence dinner, where we marked the unique contribution of nurses. I also went to work at the Queensway site of Trillium in Etobicoke. During my visit, I observed nurses in a variety of roles, working both independently and collaboratively to provide a wide range of services to the citizens in our community. Last, I visited Lakeshore Lodge Home for the Aged to speak about the important role that nurses play in caring for the elderly in our long-term-care homes.

With the release of our 2005 budget, I'm happy to say that we are continuing to improve and invest in nurses.

Our plan includes a \$32.9-billion investment in health care this year and will mean more doctors and nurses, shorter waiting times and a plan to keep Ontarians healthier. In nursing, we have provided funding for more than 3,000 new full-time nursing positions in hospitals, long-term-care homes, home care and community agencies. We've also established 52 family health teams of doctors, nurses, nurse practitioners and other health professionals who will work together to provide one million Ontarians with access to health care day and night, seven days a week, close to home.

I want to thank the nurses in Etobicoke-Lakeshore for opening their doors to me last week. I know that the valuable work you do affects lives daily, and we are truly thankful for your efforts.

### HEALTH CARE

**Mr. Brad Duguid (Scarborough Centre):** John Tory doesn't know where he stands on health care. He won't tell the people of Ontario whether he plans to devastate

our health care system immediately or whether he plans to devastate it over a long period of time. He owes it to the people of Ontario to fess up.

In contrast, our government has laid out a clear set of goals to provide Ontarians with high-quality, accessible health care services. These goals are crucial to providing Ontarians with a level of service that they've asked for, that they need and deserve.

Our agenda includes promoting healthier lifestyles and increasing public health funding, new vaccination programs for children, smoking cessation programs, banning junk food from vending machines in elementary schools, the reduction of wait times and an increase in the number of full-time nurses, and an unprecedented focus on primary care through family health teams.

We will continue to ensure that our hospitals have the resources they need to provide quality and accessible care. We will provide adequate funding to secure new full-time nursing positions throughout the health care sector right across Ontario. An investment of over half a billion dollars in hospitals will provide enhanced opportunities for nurses. We have also provided \$292 million in investments in community-based mental health services, as well as a \$264-million investment in long-term-care homes, which will result in the creation of new positions for nurses.

Why won't John Tory give Ontarians a straight answer on whether he will cut \$2.4 billion out of health care immediately or whether he will bleed the system to death gradually? Why won't he tell us what he's going to cut out of health care? That's what I would call back-of-the-napkin planning.

### INTRODUCTION OF BILLS

#### MISSING PERSONS REPORTING ACT, 2005

#### LOI DE 2005 SUR LE SIGNALEMENT DES PERSONNES DISPARUES

Mr. Racco moved first reading of the following bill:

Bill 198, An Act to amend various Acts in respect of the reporting of missing persons from care facilities / *Projet de loi 198, Loi modifiant diverses lois à l'égard du signalement des personnes disparues d'établissements de soins.*

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr. Racco?

**Mr. Mario G. Racco (Thornhill):** The bill amends the Charitable Institutions Act, the Developmental Services Act, the Homes for the Aged and Rest Homes Act and the Nursing Homes Act to ensure that police are immediately notified when a resident of a care facility operated under one of those acts goes missing. I ask that the House support it.

## RURAL ONTARIO DAY ACT, 2005

LOI DE 2005 SUR LE JOUR  
DE L'ONTARIO RURAL

Mrs. Mitchell moved first reading of the following bill:

Bill 199, An Act to celebrate and recognize rural Ontario / Projet de loi 199, Loi visant à célébrer et à reconnaître l'Ontario rural.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mrs. Mitchell?

**Mrs. Carol Mitchell (Huron-Bruce):** This bill, if passed, will declare June 21 as Rural Ontario Day. This day will recognize those who have made a commitment to strong rural communities and highlight the rural way of life. I look forward to private members' business.

## MOTIONS

## HOUSE SITTINGS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. till 9:30 p.m. on Monday, May 16, 2005, for the purpose of considering government business.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those against, please say "nay."

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1351 to 1356.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

## Ayes

Arnott, Ted  
Arthurs, Wayne  
Barrett, Toby  
Bartolucci, Rick  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bountrogianni, Marie  
Brotten, Laurel C.  
Brown, Michael A.  
Bryant, Michael  
Cansfield, Donna H.  
Caplan, David  
Chambers, Mary Anne V.  
Colle, Mike  
Cordiano, Joseph  
Craitor, Kim  
Crozier, Bruce  
Delaney, Bob  
Dhillon, Vic  
Di Cocco, Caroline  
Duguid, Brad  
Duncan, Dwight

Flaherty, Jim  
Gerretsen, John  
Gravelle, Michael  
Jeffrey, Linda  
Kennedy, Gerard  
Klees, Frank  
Kwinter, Monte  
Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
Marsales, Judy  
Matthews, Deborah  
Mauro, Bill  
McNeely, Phil  
Meilleur, Madeleine  
Miller, Norm  
Mitchell, Carol  
Mossop, Jennifer F.  
Munro, Julia  
O'Toole, John  
Patten, Richard  
Peters, Steve

Peterson, Tim  
Phillips, Gerry  
Pupatello, Sandra  
Qaadi, Shafiq  
Racco, Mario G.  
Ramal, Khalil  
Rinaldi, Lou  
Sandals, Liz  
Sergio, Mario  
Smith, Monique  
Smitherman, George  
Takhhar, Harinder S.  
Tascona, Joseph N.  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wilson, Jim  
Witmer, Elizabeth  
Wong, Tony C.  
Wynne, Kathleen O.

**The Speaker:** All those against, please rise one at a time and be recognized by the Clerk.

## Nays

Bisson, Gilles  
Hampton, Howard

Horwath, Andrea  
Kormos, Peter

Marchese, Rosario  
Prue, Michael

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 64; the nays are 6.

**The Speaker:** I declare the motion carried.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## ACCESS TO HEALTH CARE

## ACCÈS AUX SOINS DE SANTÉ

**Hon. George Smitherman (Minister of Health and Long-Term Care):** It is with great pride that I rise in my place today to speak about one of the most significant initiatives in our government's budget this year, and it involves access to doctors.

Ontario needs more doctors. It is as simple as that. We inherited a situation from previous governments in which approximately one million people in this province do not have access to a family doctor. These orphan patients, as they are called, are depending upon us to do something about that. All Ontarians are depending upon us to do something about that because they understand, as do we, that a million people without a doctor is unacceptable in a society that prides itself on a system of public health care. And so we have acted.

The budget we introduced last week contains a provision to increase the number of medical school undergraduate positions by 15% over the next four years. Through the Ministry of Training, Colleges and Universities, this \$95-million investment will result in 104 new first-year undergraduate positions being added to Ontario's medical schools, beginning this fall. It will also be used to improve programs in the five existing medical schools, to better fund the clinical evaluation for health sciences students and to create a new nursing program for northern Ontario. Over and above all that, it will result in care for thousands and thousands of Ontarians, many of whom might not have previously had access to a doctor at all.

I want to make it clear that we are not, with this investment, simply throwing money at our medical schools and telling them to create more spaces. We are, in fact, going to be working very closely with our schools, devising a rollout plan for these new positions. We will be looking for innovative ways of meeting our current needs, such as support for primary care and, of course, providing better access to care in our underserved communities.

This is only the latest step we've taken in the past 19 months to improve the access Ontarians have to a doctor.



The truth is that we've been working double time since taking office, trying to make up for the ground that was sadly lost in the course of two previous governments. We more than doubled the number of training spots for international medical graduates, from 90 to 200—that's a lot of qualified people who, until now, have had their dreams of practising medicine in Ontario frustrated—giving them a crack at making their dreams come true. And we need them. We established a program with the College of Physicians and Surgeons to repatriate doctors practising outside Ontario who would like to work here. We increased the number of family residency positions in our medical schools. By 2008, we will have produced an additional 340 family doctors, providing care to some 400,000 Ontarians.

Then there's the deal we reached with the Ontario Medical Association. This is an extremely good deal both for patients and for doctors. It will reward docs for practising medicine in new and better ways, including spending more time working with seniors and managing chronic disease, helping people stay healthy. It will also reward them for working in more efficient, comprehensive health teams, and it will offer specific incentives to doctors who practise in northern and rural communities. Overall, it will bring more doctors to Ontario, because it will make Ontario a better, more competitive place to practise.

One of our signature initiatives as a government, one of the most positive steps we are taking to improve access to health care for Ontarians and to improve that quality of care, is the creation of family health teams. Last month, we established the first new family health teams—52 of them, along with three family health team networks—where doctors work in practice with others, with nurses, nurse practitioners and other health care professionals, providing around-the-clock care to patients close to home. Thirty-five of these new family health teams will be located in communities considered to be underserved in terms of family physicians. That means that thousands of former orphan patients will have access to a whole team of health care professionals working together on their behalf. This year's budget is going to support the creation of more family health teams, and by 2007-08, we will have created 150, establishing the capacity to deliver care to an estimated 2.5 million Ontarians.

In short, we have done, we are doing and we are going to continue to do a very great deal to bring more doctors to Ontario and to ensure that the people of this province have better access to the health care they need. We have a vision of health care in Ontario that we share with Ontarians: a system that will help people be healthier, that will get them good care when they're sick and that will be there for generations to come. With initiatives like increasing the number of medical school spaces in this province, we are taking a big step forward in taking that vision to reality.

**The Speaker (Hon. Alvin Curling):** Responses?

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I'm very pleased that the Liberal government has seen fit to

build upon the vision and the foundation for increasing access to medical care that our government put in place. As the Minister of Health knows, but doesn't want to acknowledge, it was our government that appointed the expert panel to undertake long-term planning to address Ontario's physician shortage. In fact, I'm very pleased to say that it was our government that introduced primary care reform—the first province in Canada.

This government continues to rebrand the same PC program, but I have to tell you that by the time September 2003 rolled around, we actually had 3,000 physicians in this province who had joined primary care models serving three million patients. I'm pleased to say that one of the first patients to sign up—and John O'Toole witnessed this—was Dr. Neil McLeod in Thunder Bay, and Ruth Wilson was there to witness that taking place. So thank you for building on our model. If you want to give it another name, that's fine. We're just glad you're doing what you can to improve access.

Our government also increased access to medical schools by 30%, so you're not quite there, Minister. We also expanded the international medical graduate program for foreign-trained physicians. Of course, as the minister and the government well know, it was we who announced the first new medical school in northern Ontario, and I'm glad it's finally getting set up. I would say to the government today, I'm glad you're building on our foundation and on our vision. We believe it's important.

However, you have not yet delivered on a promise from your 2004 budget. You said you would introduce a health human resources strategy. You haven't done it. There is no strategy or plan in place, which I think is regrettable because, unfortunately, we don't have much detail today as to how these positions are going to be phased in. Furthermore, if there's no long-term-care planning, how do people know what type of residency programs are going to be available in the next four years? You must expand residency spaces.

The other thing you have to do is continue to improve access for Canadians who have graduated from international medical schools. I would say to you that presently we have 260 Canadians who are completing their medical degrees in Ireland. These students desperately want to come back to Ontario, but the policy we have today makes it difficult and adds at least two years to the total process. I would encourage you to allow these graduates to apply for residency in their fourth year. That would encourage these badly needed medical students to come back to Ontario and practise here. This government knows that other Canadian provinces, such as Alberta, Manitoba and Nova Scotia, allow these graduates to enter into the second round of the Canadian residency matching service. You could do the same thing here.

If you're really committed to improving access to doctors in the province of Ontario, continue to build on our foundation, but at the same time allow these students in Ireland to return to Ontario. Also make sure you have residency spaces for the new students that you're going

to allow into our medical schools and continue to remove the barriers for these very qualified, internationally trained physicians.

There's much more that you could do. I would encourage you to go back and focus on the expert panel recommendations.

I would just remind you of a couple of other things that we did. We doubled the number of community development offices to help underserved areas recruit doctors. We expanded the two northern family medicine residency programs by increasing the number of entry training positions by 25%. Another olive branch that we handed out to doctors who were willing to practise in underserved areas was to announce \$4 million in funding for free tuition and location incentives to new doctors.

Today I say to the government, I'm glad you recognize that we had a vision, that we had a great foundation. I want to congratulate you on continuing the work we started to address the doctor shortage and improve access to medical care.

**Mr. Howard Hampton (Kenora-Rainy River):** I want to check some facts as related by the Minister of Health today, because this is another announcement that is more spin than it is reality. I think this is very important for people across Ontario, because the reality for people across Ontario is that over the next few years it's going to become more and more difficult to find a family physician, not easier, and I want people to know why.

1410

First of all, the Minister of Health's propaganda campaign against physicians last fall really angered doctors. It angered doctors to the extent that many of them came forward and said, "I'm leaving the province"—and that is happening. When the government engaged in a propaganda campaign against physicians and then suggested that it was going to legislate physicians according to terms of work, that went a long way in terms of burning bridges and destroying relationships. We know that there are physicians who are leaving Ontario today because of that wrong-headed approach by the McGuinty government.

Second, the government says that they want to increase medical school spaces by 104 new first-year undergraduate positions. But you have to read the fine print. Only 26 of those positions will happen next year, and 26 the following year, 26 the year after that and 26 the year after that. We'll be into 2009 when this announcement is actually implemented. The reality is that with four years of medical school and two years of residency, this policy will not take practical effect until sometime in 2012, 2013, 2014, if then. Meanwhile, we have the reality of a community like Geraldton, where virtually all of the family physicians have indicated that they're quitting and that they're leaving the community. Geraldton is just the tip of the iceberg, because that is also happening in other communities, where physicians are simply saying, "I'm out of here."

Third, the minister tried to dress up his announcement by referring to the so-called new family health teams, saying that there are 52 new family health teams. In fact, over half of these are simply renaming the family health programs put in place by the former Conservative government. Simply renaming something that wasn't working very well under the former government hardly presents something new for people across Ontario who cannot get a family physician.

Finally, I know that this announcement includes a pilot project for the training of nurses in small communities—a good pilot project. But I say to the minister, in terms of nurses, that it needs to move beyond being a pilot project very quickly, because in all kinds of communities across this province not only are we running short of family physicians, but we are running short of nurses as well, and the one problem is just as serious as the other.

I say to people across Ontario, I know the Minister of Health wants to spin this as a brave new world and a brave new announcement. Much of it is a reannouncement. Some of it is renaming what the former government put in place, and I have to say it wasn't working that effectively. But this is not going to produce any new physicians for Ontario communities—not in four years, not in five years and not in six years. In the meantime, there are lots of communities across Ontario that are going to encounter more and more severe nursing shortages and more and more severe physician shortages.

Et je dis à tout le monde dans la province de l'Ontario que la question est claire : où se trouvent les médecins pour les petites communautés dans le nord, pour les petites communautés francophones dans la province de l'Ontario?

**Mr. Dave Levac (Brant):** On a point of order, Mr. Speaker: I seek unanimous consent for the order of third reading of Bill 3, An Act to protect anaphylactic pupils, to be called immediately, and for the Speaker to put the question for third reading forthwith, without debate or amendment, and that if a recorded vote is necessary, the division bells be limited to five minutes.

**The Speaker:** Do we have unanimous consent? Agreed.

SABRINA'S LAW, 2005

LOI SABRINA DE 2005

Mr. Levac moved third reading of the following bill:  
Bill 3, An Act to protect anaphylactic pupils / Projet de loi 3, Loi visant à protéger les élèves anaphylactiques.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House the motion carry? I heard a no.

All those in favour, please say "aye."

All those against, please say "nay."

In my opinion, the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1415 to 1420*



**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

**Ayes**

Arnott, Ted	Flaherty, Jim	Patten, Richard
Arthurs, Wayne	Gerretsen, John	Peters, Steve
Barrett, Toby	Gravelle, Michael	Peterson, Tim
Bartolucci, Rick	Hampton, Howard	Phillips, Gerry
Bentley, Christopher	Horwath, Andrea	Prue, Michael
Berardinetti, Lorenzo	Jeffrey, Linda	Pupatello, Sandra
Bisson, Gilles	Kennedy, Gerard	Qaadri, Shafiq
Bountroggianni, Marie	Klees, Frank	Racco, Mario G.
Broten, Laurel C.	Kormos, Peter	Ramal, Khalil
Brown, Michael A.	Kwinter, Monte	Ramsay, David
Bryant, Michael	Lalonde, Jean-Marc	Rinaldi, Lou
Cansfield, Donna H.	Leal, Jeff	Sandals, Liz
Caplan, David	Levac, Dave	Sergio, Mario
Chambers, Mary Anne V.	Marchese, Rosario	Smith, Monique
Chudleigh, Ted	Marsales, Judy	Smitherman, George
Colle, Mike	Mathews, Deborah	Sorbara, Gregory S.
Cordiano, Joseph	Mauro, Bill	Takhar, Harinder S.
Craiton, Kim	McNeely, Phil	Tascona, Joseph N.
Crozier, Bruce	Meilleur, Madeleine	Van Bommel, Maria
Delaney, Bob	Miller, Norm	Watson, Jim
Dhillon, Vic	Mitchell, Carol	Wilkinson, John
Di Cocco, Caroline	Mossop, Jennifer F.	Wilson, Jim
Duguid, Brad	Munro, Julia	Witmer, Elizabeth
Duncan, Dwight	O'Toole, John	Wong, Tony C.
Dunlop, Garfield	Ouellette, Jerry J.	Wynne, Kathleen O.

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 75; the nays are 0.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill be now passed and be entitled as in the motion.

**Mr. Dave Levac (Brant):** On a point of order, Mr. Speaker: I rise to take a moment to thank the members of this House, the Premier, the Ministers of Education and Health, and my colleagues in the official opposition and the third party for their co-operation in the successful passage of this bill today. All members of this House understand the importance of this law, Sabrina's law. It will go a long way toward the safety of our children.

I know that our guests in the gallery have fought a long fight with their children, who are with us today, especially Max Eck, a 6-year-old boy who created Epi-Man, a superhero. They have worked tirelessly for this bill. I want to thank my honourable colleagues in this House for the good work we do. We will save a life.

**The Speaker:** That's not a point of order, but I accept it.

**ORAL QUESTIONS**

**TAXATION**

**Mr. Jim Flaherty (Whitby-Ajax):** My question is for the Acting Premier. My question is about the inability of your government to stick to fiscal plans in Ontario. Before the election in 2003, the Premier promised that he would not increase taxes, that he would hold the line on taxes. After the election, we had the largest single tax increase in the history of the province of Ontario. Why

did we have that tax? According to the Premier, "To honour my commitment that I made to Ontarians, which was to hold the line on their taxes and to make investments in health care and education, was impossible." Why? Because he said that there was a revenue problem.

Then we saw the budget last week, and a massive tax revenue windfall because of the extra work done by the people of Ontario creating that revenue. But is there a reduction in taxes? No. Is there anything going back to the people of Ontario? No. There was massive new spending of more than \$1 billion last year. Why don't you give some of the money back to the people of Ontario—

**The Speaker (Hon. Alvin Curling):** Acting Premier? **Hon. George Smitherman (Minister of Health and Long-Term Care):** I appreciate the opportunity to get this one-last-gasp question from the honourable member, soon to depart, he hopes, for greener fields. He had the opportunity in the minute of his question to underscore so well the fundamental incoherence that is the heart of that party.

The honourable member stands in his place and asks about hitting the numbers, when this honourable member himself was a prominent member of a government that told Ontarians on one day that there was no deficit, and Ontarians learned only a few days later that the government of the day was concealing a \$5.6-billion deficit. I ask the honourable member, as he takes the opportunity to stand in this House for another minute, to tell us just what the impact would be of the proposed \$2.4-billion cut to health care that his leader is currently proposing.

**Mr. Flaherty:** I'll tell you what the impact is. Do you know what the impact is of your spending increases? Next year, there's going to be as much money spent on interest on the debt—\$10 billion—as is spent on education for primary and secondary schools in the province of Ontario. Congratulations on wasting \$10 billion of taxpayers' money.

*Interjections.*

**The Speaker:** Order. I'm going to ask the government side to come to order. I can't hear the question.

*Interjections.*

**Mr. Flaherty:** I hear the Minister of Natural Resources say, "Who cares about this?"—

*Interjections.*

**The Speaker:** Order. It doesn't mean that when I sit down, you start talking; that's not what it means.

**Mr. Flaherty:** I hear the Minister of Natural Resources say, "Who cares about this?" Well, it's obvious that you don't care about debt; you don't care about deficits. Deficits are tomorrow's taxes, plus interest. When I was the Minister of Finance, we reduced the public debt by a record amount of \$3.1 billion. You should be seizing the opportunity to reduce deficits and debt in the province of Ontario and to give something back to the people who work half the year now to pay taxes to your government. Why don't you do it? Seize the opportunity; do the right thing. Reduce the tax burden to the people of Ontario.

**Hon. Mr. Smitherman:** To the Minister of Finance.

**Hon. Greg Sorbara (Minister of Finance):** It is passing strange to hear lectures from a former Conservative finance minister who drove this province during good economic times into the most significant debt we have ever experienced in good economic times. Now, before he leaves to wreak some of that havoc on the federal Parliament, he has one last lecture. I want to tell my friend that for the first year in a very long time, we've set ourselves an objective for deficit reduction, and we exceeded that objective by 100%. We're cutting the deficit, we've got a plan to eliminate the deficit we inherited, and I don't need any advice from that former minister.

1430

**Mr. Flaherty:** Actually, I'll be pleased, Minister of Finance, to leave this place having balanced the budget and reduced the public debt by \$3.1 billion, two things you'll probably never do in this place. I wish you good luck. Some day—

*Interjections.*

**The Speaker:** I'll give you an opportunity to ask a final supplementary.

Order. The member for Whitby–Ajax listened very attentively when the response was being given. I would like the same courtesy extended to him when he is asking the question.

**Mr. Flaherty:** I was pointing out to the Minister of Finance that he has never balanced a budget and he has never reduced the public debt, both of which I was proud to do. I hope you do it some day. Work at it, and I hope you do it some day.

Then I see in the budget—here is a Paul Martin-esque thing now. This is good. Look at this: an increase in the reserve from \$1 billion to \$1.5 billion. This is putting money aside; this is the phony surplus stuff that we get in the federal government now, so that at the end of the day the Minister of Finance and the Premier can make themselves look good.

People are paying more and getting less. The people in Whitby are paying, on average, as a family, \$1,000 more a year, and what do they get for it? Longer waiting lists at Lakeridge Health, nursing layoffs at Lakeridge Health. Give them at least some of their own money back so they can carry on their lives and support their families.

**Hon. Mr. Sorbara:** This from the representative from Whitby–Ajax, who is about to pack up all his little political tricks and take them up to Ottawa.

Let me just tell you about one of those tricks. In the budget that he presented in this Legislature, at the very last minute, what did he slip in? A huge new tax credit for private schools, with public taxpayers' money. Now he's going to go sell that in Ottawa.

I just want to invite my friend from Whitby–Ajax to do what his leader has done and acknowledge that our investment in post-secondary education is the most historic and significant investment in 40 years and is hailed by the Leader of the Opposition, and to do what his leader has done and acknowledge that our investment in

infrastructure—\$30 billion over the course of the next five years—will be a new foundation for this economy.

*Interjections.*

**The Speaker:** Order. I will start naming some members today. I am in a naming mood today, so I will start naming members if they can't come to order.

*Interjection.*

**The Speaker:** I would start by warning the Attorney General.

## HEALTH CARE

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** My question is for the Acting Premier. As you know, the unexpected \$1.2 billion in revenues generated by Ontario businesses last year did give you the opportunity to help hard-working Ontarians. Rather than doing that, you continued to punish them by doubling the cost of your illegal health tax. We now know that hospitals are also going to be forced to make significant staff and program cuts because of the lack of a plan and your misspent priorities.

Despite the fact that revenues are higher, despite the fact that the OHA is going to have to make some cuts, why are you forcing Ontarians to pay double your illegal health tax this year, and yet they are getting less health care because you've privatized eye exams and chiropractic services?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** The incoherence of the Tory party continues. With them, it comes down to this: Tory, Tory, same old story. Here they are one more time complaining out of one side of their mouth that there should be a reduction in the amount of revenue that the province takes in, and on the other hand calling for additional investments in essential public services.

I'm proud to confirm for the honourable member that as a result of the commitment of the people of the province of Ontario to a good-quality health care system, my ministry has the opportunity this year to invest fully \$1.8 billion more resources. In what things? In things like double-digit increases in five key areas related to wait times, in addressing the critical shortages of doctors that were created on that party's watch and that party's watch.

We will continue to invest appropriately in our hospitals, which this year are seeing a 4.7% increase, almost 1% fuller than was projected last year, and \$500 million—

**The Speaker (Hon. Alvin Curling):** Thank you. Supplementary?

**Mrs. Witmer:** Talk about incoherence and lack of a plan. This is a government that's had four plans in less than two years. Talk about incoherence. This is the government that criticized P3 hospitals, and now you're introducing private-public partnerships yourself.

Let's get back to the issue at hand: your illegal health tax, which people are going to pay double for this year despite the fact that you had an additional \$1.2 billion in corporate revenues. I say to you today that you had the



opportunity to do the right thing to help those hard-working Ontarians who are paying more for mortgages, gas and hydro. Why won't you take this opportunity to help them and give back some of your illegal health tax?

**Hon. Mr. Smitherman:** Here we go again. This party does not have the courage or the clarity to stand in its place and say—with respect, the honourable member is part of a party that is proposing a \$2.4-billion cut to health care. The first phase of that, according to the honourable member's seatmate, who hasn't made it today to talk about this, is a \$240-million cut.

Perhaps in the next question the honourable member can tell us what health care project, what priority, they would be stealing \$240 million from? That is at the heart of the incoherence of this party.

We are a government that's investing in the essential public services that Ontarians depend upon. Hard-working families in Ontario need support for things like vaccinations. They need to know that when mom has cataracts, they're going to be done. Those are the investments at the heart of our government's budget, and we make no apology for investing the dollars of Ontarians in public services.

**Mrs. Witmer:** Talk about lack of clarity, coming from this Minister of Health. It was our government that added \$10 billion to the health budget and added 12,000 additional nursing positions. I say to you today, we know that last year you laid off nearly 800 nurses and you paid for their severance costs—absolutely unbelievable that you would do that.

We now know that the OHA is telling us that you're probably going to have to cut, because you're not going to be able to provide the funding, an additional 4,000 nurses and health care support workers. Even the RNAO is very concerned about your lack of a plan to hire the 8,000 new nursing positions that you promised.

I say to you today that you introduced this illegal health tax, and all you're doing is hurting Ontarians, who are getting fewer health services than ever before. Will you at the very least return a portion of this illegal health tax that isn't going to nurses, other than to fire them?

**Hon. Mr. Smitherman:** The honourable member stands in her place, and her proposition on behalf of the Tory party is to cut \$240 million as their beginning investment on a \$2.4-billion cut to health care. Then, in the same breath, she talks about enhanced services in health care.

We're the government that's putting the money of Ontarians behind the important services that they need:

—10% increases in key wait-time areas: cataracts, cardiac, access to cancer service, hip and knee replacement, access to MRI and CT. Why? Because Ontarians said they needed that.

—Growing more doctors in Ontario. Why? Because it is the sad legacy of that party that they sat on their duffs for five years while the list of underserved communities grew from 60 to 142.

That is that member's health care legacy, and I don't need any lectures from the Hula Hoop party about nurses.

1440

**Mrs. Witmer:** On a point of order, Mr. Speaker: The minister is not telling the truth. The only people talking about—

*Interjections.*

**The Speaker:** Order. Let's get some order here.

The member from Kitchener-Waterloo did make an unparliamentary comment. I would ask you to withdraw.

**Mrs. Witmer:** I wanted to correct the record. If I said anything inappropriate, I would withdraw.

**The Speaker:** Would you stand up and say that?

**Mrs. Witmer:** Yes, I would withdraw.

**The Speaker:** Thank you. New question.

## INFRASTRUCTURE PROGRAM FUNDING

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the acting Premier. In last week's budget, Ontarians learned that under the McGuinty government, profit-driven corporations and enterprises will now be profiting from Ontario schools, hospitals, highway and transit systems, and sewer and water systems. That means that Ontario taxpayers will pay more—a lot more—for new schools, new hospitals, new roads and new water systems. Why? Because profit-driven corporations will charge much higher interest rates for money loaned to build a school, and they will want to make a profit on that loan. It means the Bay Street financiers will do very well, but it means that Ontario taxpayers will pay 30% to 40% more to see a school built or to see a transit system built. So my question is, when did you decide that our schools, our hospitals, our sewer and water systems, and our transit systems were going to become the playthings of people who are seeking profit rather than the public interest?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I refer this question to the Minister of Public Infrastructure Renewal.

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** I don't know where the member opposite gets his figures from. Clearly, they are not correct. I would like to bring to the attention of the member something that a very prominent person once said. I want to quote: "As well, Metro Toronto presents, in the long term, some interesting possibilities for partnership with private developers. For example, it might be possible to construct courts and to construct commercial space and to construct housing in co-operation with a private developer."

Now, that was one Howard Hampton on October 9, 1991. Clearly, the member opposite had a different view when he made those comments to the Globe and Mail. I don't know where he gets his comments today. In additional supplementaries I will be more than happy to share our principle-based framework for investment in Ontario's infrastructure, because it's badly needed, as the member has pointed out on occasion.

**Mr. Hampton:** I hate to have to tell the Minister of Public Infrastructure Renewal that there is something a lot different about renting courtroom space in a building and building hospitals, schools, sewer and water systems, and transit systems. If you don't know the difference, then your government is in even more trouble.

We spent some time checking with some of the private financiers, who are saying that if it is a public infrastructure project, whether it is a school, a hospital or a transit system, they want at least a 10% interest rate on borrowed capital. Right now, your government could put out a 30-year bond for 5%. A billion dollars borrowed at 10% through private financiers and a billion dollars borrowed at 5% interest through a government bond repaid over 30 years amounts to hundreds of millions of dollars' difference. That's what you're telling Ontario taxpayers to pay: hundreds of millions of dollars more to private financiers. Tell us why Ontario taxpayers should pay hundreds of millions more just to finance your Bay Street friends.

**Hon. Mr. Caplan:** The short answer is that they won't. In fact, independent evidence on using this method of financing shows that 88% of the time, the projects come in on time and on budget, saving taxpayers considerable dollars. I would listen to the former NDP Treasurer, Floyd Laughren, who said on the weekend, "I think that the public sector unions would be foolhardy to resist that, when now their funds are being used elsewhere," in the UK, in the United States and in Australia, to fund the needed infrastructure all around the world.

Why does the member opposite have problems with pension-sector dollars invested in Ontario to rehabilitate, to rebuild the province of Ontario? Your former colleague, the former Minister of Finance, Mr. Laughren, seemed to think that is a good idea, as do other jurisdictions all around the world, including one Howard Hampton.

**The Speaker:** New question.

**Mr. Hampton:** Maybe the McGuinty government can explain to taxpayers in Ontario why they'd have to spend hundreds of millions of dollars more with private financing to have a hospital built than if you simply put out a 30-year bond and got a much lower interest rate. Maybe you could answer that question.

I have a quote from one Dalton McGuinty, who said just about two years ago, "We believe in public ownership and financing. I will take these hospitals and bring them inside the public sector."

That's what he said about the Brampton hospital. We now know the Brampton hospital is going to cost \$175 million more because of private financing, because the private financing, when you work it out over a 25- or 30-year period, will want that much profit and that much higher interest rates. So tell us again, why should taxpayers end up paying hundreds of millions of dollars more for public assets just because you want to help out your Bay Street financial friends?

**Hon. Mr. Caplan:** Once again, the member is wrong. In fact, there is not this mythical additional cost. The

Brampton hospital is a public hospital, as the Premier had commented. In fact, if you look at the framework for investment—the five key principles—core assets like hospitals, schools and water will always be in the public realm, will always be in public hands.

On page 18 of Public Power, Mr. Hampton says, "Private investors attracted to the security and stability of government-backed bonds will ... be a primary source of future capital financing needed to upgrade and, when necessary, expand our system."

I really think it's Mr. Hampton who has some explaining to do. One day he believes that we require the private sector to make these important investments in our infrastructure, yet today he seems to have some different kind of an opinion. I think you should take a principle-based approach like the Premier and this government did to make sure we get much-needed investment—

**The Speaker:** Thank you. New question.

**Mr. Hampton:** I think it's sad that the Minister of Public Infrastructure Renewal doesn't understand the difference between a public bond offering at 5% and private corporate financing at 10% interest.

#### NATIVE LAND CLAIMS

**Mr. Howard Hampton (Kenora-Rainy River):** I want to take the McGuinty government back to another promise they made. You promised a new relationship with First Nations communities, but instead the McGuinty government cut the First Nations secretariat by 22%. Acting Premier, I wonder if you could tell the First Nations of Ontario, how does cutting the budget of the First Nations secretariat by 22% create a new and positive relationship with Ontario's First Nations?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** The minister responsible for native affairs.

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I'm glad the member asked that question, because I think it's important that people understand that in fact there was a one-time payment for the settlement of a land claim in last year's budget. Of course, it was a one-time cost, and we're not going to pay for that land claim twice. We're going to pay for that land claim in order to discharge our responsibilities to First Nations. As a result of that, last year's budget reflected that land claim. The following budget, in fact, reflected continued stable funding for the Native Affairs Secretariat. The difference between the two is that one year we paid a land claim, a one-time cost, and the next year we didn't.

**Mr. Hampton:** I think the message to First Nations across Ontario is that the McGuinty government won't be settling any more land claims. It's clear you're not budgeting for any land claims.

I want to point out another absence in the budget. We know that paper mills and pulp mills across northern Ontario are either shutting down paper machines or looking



at shutting down whole mills. We know that it's the McGuinty government policy of substantially increasing hydro rates that is driving that process. We were hoping, in your budget, to see an investment strategy for the forest sector. We've been waiting for some time to see the nomination of a cogeneration facilitator. Yet we had a budget that provided nothing in terms of an investment strategy for the forest sector, and you still haven't named a cogeneration facilitator. You have an investment strategy for auto, for casinos, for television and movie production. Where was your investment strategy for the forest sector in this budget?

1450

**Hon. Mr. Bryant:** I know in a further supplementary I'll be happy to deal with the question with respect to investments in forestry, but I just want to say to the member that I was surprised to hear him say at the beginning of his question that the message to First Nations was that we would not be settling any more land claims. I've got some news for you, I say to the leader of the third party: I and my colleague, the Minister of Natural Resources, David Ramsay, are going to in fact finally ratify the settlement of the Rainy River First Nation's land claim, up in your riding, sir. We're going to be in your riding doing that. We have 15 fully implemented settlement agreements in place and, in addition, three final settlement agreements are already being implemented and four final settlement agreements await ratification. We are working to increase the pace of claims settlement in the province of Ontario, and we are on track to do that right now. That, sir, is the message to the First Nations and aboriginal people of Ontario.

**Mr. Hampton:** I have to inform the minister that the Rainy River land claim was paid out last year, and it's very clear that there is no money in your budget to settle land claims now or in the future.

I want to go back to another part of the budget where people were told they don't matter. We know that there is a farm crisis virtually across this province. We know that farmer after farmer across this province is facing the loss of their livelihood, the loss of everything they've worked for. Yet what happened in this budget? We see a 23% cut in the budget of the Ministry of Agriculture.

You're telling First Nations they don't matter, you're telling forest workers, pulp and paper mill workers in northern Ontario that they don't matter and you're telling farmers that they really don't figure in your plans as well. Can you tell us, Minister, at a time when farmers are in crisis, why does the McGuinty government cut their budget by 23% and have no idea of a plan to reposition Ontario farmers so they don't lose their livelihoods, their homes and all they've worked for?

**Hon. Mr. Bryant:** There he goes again. The truth is that we have 15 fully implemented settlement agreements and four final settlement agreements await ratification. The member knows; he understands this, and I don't know why he's not saying this.

**Hon. James J. Bradley (Minister of Tourism and Recreation):** I know why.

**Hon. Mr. Bryant:** You do? Of course, built within the budget are contingencies to deal with the ability for a cabinet and for a government to ratify land claims. That's how it works, and he knows that's how it works. The good news is that not only are we increasing the pace of claims settlements, but we've also established a relationship between First Nations and the government of Ontario that in the words of chief Charles Fox is probably the brightest day for First Nations and the government of Ontario that they have had since Bill Davis was the Premier—I notice he skipped over a couple in between. But I will say that the ability of First Nations and the cabinet to sit down on a regular basis, the triennial negotiations that we have in place and the new relationship that the government has with First Nations and aboriginal peoples is a very bright future—

**The Speaker (Hon. Alvin Curling):** Thank you.

### HIGHWAY 69

**Mr. Norm Miller (Parry Sound-Muskoka):** My question is for Minister of Northern Development and Mines. You have in the past repeatedly demanded action on Highway 69 four-laning, and let me remind you of some of the things you've said in the past. You asked when the government would finally listen to the many families who lost loved ones on Highway 69. You demanded to know when the government would listen to municipalities, chambers of commerce, labour groups and service clubs after the CRASH 69 committee. You delivered petition after petition and presided over a billboard campaign to ensure the government understood the importance of four-laning Highway 69.

Now fast-forward to May 2005. In the budget, minister, your government announced that it will be another 12 years before Highway 69 is completed. That means four-laning won't be complete until 2017. That's a full five years later than the previous government's commitment. Minister, when will you provide all the details of the government's plan for the completion of Highway 69?

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** I don't know what part of the good-news story he doesn't like. Let me tell you, one month after we took office, we signed an agreement with the federal government that allowed for five projects to move forward in a very quick manner. We then committed in the budget of 2005 to four-lane Highway 69 in 12 years, something the Federation of Northern Ontario Municipalities—and he was at the association yearly meeting this past Friday—thought was one of the greatest announcements that ever took place in any provincial budget.

Let me contrast that with what this government did. The previous government said in November 2002, "We will commit \$1 billion a year to Highway 69," and never committed a penny to Highway 69.

**Mr. Miller:** Minister, you campaigned on this one issue. In November 2003, you promised an action plan.

That's when you were the minister. In May 2004, you and the Premier again promised an action plan by the end of the summer. Eventually, that action plan was pushed back to the new year. Then it was pushed back to last week's budget.

You've been the minister responsible for northern highways for going on two years. As the Sudbury Star said this weekend, "What Bartolucci has succeeded in doing in the last 18 months is lowering our expectations regarding Highway 69." Minister, where is your detailed action plan? Where is your commitment?

**Hon. Mr. Bartolucci:** The commitment is written in the budget—I think it's on page 123—which clearly says this government is committed to four-laning Highway 69 in 12 years, a commitment no government has ever made in the past. Certainly the NDP never made a commitment. In fact, they took \$20 million out of the highway strategy for northern Ontario. The former Tory government took out 14.7% in funding for northern highways.

The reality is that for the first time ever, a government of Ontario has committed to four-laning Highway 69 in a definite time frame, and that's 12 years. That's cause for celebration across northeastern Ontario, and I applaud our government for finally taking action when that government and that party did nothing in the past.

#### CHILDREN'S SERVICES

**Mr. Peter Kormos (Niagara Centre):** A question to the Acting Premier: Fourteen-year-old Justin Kapoor is autistic, severally handicapped, medically fragile, epileptic and now confined to a wheelchair. His folks from Thorold, here in the members' gallery today, can no longer cope with his daily needs. There are two other younger children in the family. They've been on a waiting list for three years now for a residential rehabilitation and treatment program for Justin. Last week, they made the heart-wrenching decision to call children's aid and surrender their child to the custody of family and children's services so that their child, Justin, can get adequate treatment. Why is your government making people relinquish/surrender custody of their children before they can get the treatment they deserve?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** As the honourable member will know, this is a matter that is being addressed more fully by my colleague minister, who's not in the House today. I offer to those people who are here our government's full commitment to work through this case on an individual basis, but also to continue to re-emphasize the work that the honourable member has been involved in. I know this is a question that has been before the House in the course of the last few weeks and that the honourable minister is working through the children's aid society with a view toward offering all of the support that's possible to families who are in these challenging circumstances.

I'd like to, in a certain sense, take the question under advisement, as I'm not familiar with the individual

circumstances, and relay to the honourable member that the minister will take this up more fully. I know this is a matter that, as you well know, she's been working on quite a lot in the course of the past little while.

**Mr. Kormos:** Acting Premier, Connie Covatta and Nash Kapoor love their son. They love their two other children as well. They love their son enough to know that he has to get the best possible treatment, that he's going to be better and live a healthier and happier life in a professional treatment residential program. Are you assuring these folks right here today that you're committing your government to working directly with them to ensure that they don't have to abandon their child to the custody of children's aid so that their child can get adequate treatment? Stand up and tell them that your government will work closely and intimately with them and their son.

1500

**Hon. Mr. Smitherman:** We've gone one significant measure further. We've said that parents should not have to give up their children to receive this kind of care, and we've backed that up with a significant investment—\$74 million to date—in support of the kinds of services that are required. We fundamentally believe it's important to make investments earlier so that children can be given the appropriate support as early as is possible. I believe that these actions on the part of our government speak to the commitment we have made. I also know that this is an issue that the Ombudsman has taken up.

I think these things combined mean that the matter—which is a very, very serious one, so that no one misunderstands—is receiving the attention required in order to have outcomes which are more positive for families and for children.

I know the minister will want to be apprised of this circumstance, and I will take it upon myself to make sure she is aware of it.

#### AFFORDABLE HOUSING

**Mrs. Liz Sandals (Guelph-Wellington):** My question is for the Minister of Public Infrastructure Renewal. As you know, today in my riding of Guelph-Wellington there was an announcement regarding the construction and funding of three new affordable housing projects. These three projects are under construction, and we visited all of them. Two of them are fascinating projects, restoring old limestone buildings in Guelph. One, the assembly might like to know, is actually an old building that was built by the Sleeman brewery family originally to house a private streetcar business. It then went on to become what was locally known as the bus barns for Guelph transport. It's now being turned into affordable housing. Another one was an old stone store originally, now occupied by the army, navy and air force vets, and it's being turned into affordable housing.

I'm delighted that our government places a high priority on ensuring that Ontarians should not have to choose between feeding their children or heating their homes, and with today's announcement, 84 Guelph area



families won't have to. Minister, can you please elaborate on what this means for my constituents and other Ontarians?

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** I want to thank the member for the question. Today's announcement marks the beginning of construction for three more affordable housing locations in Guelph–Wellington. This investment, totalling \$9.6 million, includes support from the Canada-Ontario affordable housing program. With this investment, Guelph–Wellington will now be able to provide a total of 84 more units in the region aimed at lower-income seniors and families.

For almost 10 years, the former government sat by and did nothing to help those in need of safe, affordable housing options. However, our government will not sit by and do nothing. We understand that shelter is a basic human need that cannot be ignored. The McGuinty government has taken decisive action. The previous government may have members who said that they believe housing is part of the dignity of all and that they would not stand by. Instead, they sat idly for a decade, leaving millions of dollars to languish in that account. But that decade of discontent is over.

**Mrs. Sandals:** The affordable housing program is an important partnership between the province, the federal government and, in my case, the municipalities of Wellington and Guelph. Many stakeholders have been involved in this.

The third project is a Guelph non-profit housing project. They've actually gone beyond the requirement to ensure that some of the units will go to mental health clients and to Association for Community Living clients, making sure that some of the hardest-to-serve people in our community have housing. This is a wonderful investment for our riding of Guelph–Wellington and is only part of the affordable housing investment in Ontario.

The previous government ignored this file. As a result, my constituents have a long waiting list for affordable housing. Minister, can you elaborate more on the overall investment—

**The Speaker (Hon. Alvin Curling):** Minister?

**Hon. Mr. Caplan:** Again, I want to thank the member, especially for her passion for affordable housing. The member is correct that it's only a portion of the overall investment for the province. A short while back, in fact, our government signed a new affordable housing agreement, which will provide a total of \$602 million for new affordable housing right across this province.

The province of Ontario is fully cost-matching with the federal government. We will create over 15,000 new affordable housing units, as well as housing allowances to provide immediate assistance for approximately 5,000 Ontario families in need.

Our province does not stand by and do nothing, like the former government did. Our province, and our government, believes that safe, secure, affordable housing is a basic human need. With our \$602-million investment, Ontario and the federal government will address that

basic need for over 20,000 Ontario families. Ontario is back in affordable housing in a meaningful and significant way.

## TRANSPORTATION INFRASTRUCTURE

**Mr. Jim Wilson (Simcoe–Grey):** My question is for the Minister of Transportation. In last week's budget, we learned that you will actually spend \$975 million on operating and administration in the Ministry of Transportation but only \$622 million on building roads or capital. You barely have enough money in this budget to fill potholes. It's a cut of \$200 million since you guys came to office. We also learned in the budget that you're going to do more studies on the mid-peninsula corridor, the 407 eastward expansion, the 404 and the 427—you don't even bother to mention the 410—and you also hoodwinked your own member from Sudbury and made the construction period for Highway 69 five years longer.

Minister, given that your capital budget has been devastated, what exactly are you going to do to help alleviate gridlock in many parts of Ontario, not just in Toronto, given that you're down to a budget that can't even fill potholes?

**Hon. Harinder S. Takhar (Minister of Transportation):** Let me just point out to my esteemed colleague on the other side, that if he can look at page 76 of the budget, he might see that the total infrastructure budget is \$1.13 billion. If he could just start learning how to read the budget, maybe it would help in answering the question, rather than my answering it.

**Mr. Wilson:** Minister, it's a \$200-million cut since you came. The \$1.1 billion doesn't mean anything. You're going to spend \$622 million this year. That's all the money they've given you. Don't roll in past projects and say that's new money; you've got \$622 million to spend this year. It's not enough money to even fill the potholes in the highways in this province.

I just want to tell you one more thing. Last Thursday, the day after the budget—going back to Highway 26, the road between Collingwood and Stayner—you actually put up plywood over the highway signs that used to say, "New alignment of Highway 26 coming spring 2003." Minister, you've cancelled 26, and you're going to study all the other major highways that are creating gridlock in this province. What exactly are you going to do to earn your wage this year?

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Minister for Northern Development and Mines, come to order.

**Hon. Mr. Takhar:** Mr. Speaker, I want to know, first, is the member OK there?

Let me tell you, we are spending \$1.13 billion on highway infrastructure. We are spending in excess of \$800 million on transit needs, and that is way more than they ever did. They ignored transit and highways for years in this province. We're going to fix all those things for them, which they didn't do for eight or nine years in this province, and move forward.

## JUSTICE SYSTEM

**Mr. Peter Kormos (Niagara Centre):** To the Attorney General: Your small claims court deputy judges walked off the job this month. Their fees have been frozen for over 23 years, and many say they simply can't afford to provide this service any more. You've refused to meet with them to discuss these issues. As one deputy judge put it to me, you have simply stonewalled. Minister, you have a crisis on your hands in our small claims courts. Why are you stonewalling these judges?

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** Far from it. I do want to say to all of those lawyers who participate as deputy judges, on average, about two or three times a month, that the work they do is great public service. They do a great job, and I think most of them do it out of public service. I know that when Jim Flaherty, the member for Whitby-Ajax, was practising law before he was in politics, he served as a deputy judge.

It's business as usual in that court, and I will of course continue to work with the Associate Chief Justice on this issue. But lastly, some deputy judges have brought an action against the government of Ontario, and as long as we are in litigation, I'm sure you would understand I can't be in the business of meeting with them if the meeting they want to have with me is in the courtroom of Ontario.

1510

**Mr. Kormos:** These lawyers have performed a great service. The only regrettable thing is that their rates have been frozen for 23 years now and you've done nothing to increase those rates. Last week's budget flatlined your ministry, and now you can't respond to many of the pressing needs of our justice system. Small claims courts, as you know, are supposed to be venues for people who want to settle smaller matters quickly. Instead, we've got an increasingly dysfunctional system, where cases can drag on for over a year because of deputy judges sitting so infrequently because they can't afford to sit more often, and deputy judges fear for their safety. What is your plan, your government's plan, to deal with the crisis in our small claims courts?

**Hon. Mr. Bryant:** There is, in fact, a small claims court system that is working very well, and the description provided by the member is patently totally inaccurate. It is business as usual in that court. I know that a handful of people have decided not to participate, but the system works in this way: There are many, many lawyers out there who a couple of times a month, serve as deputy judges. That continues to happen. In fact, the regional senior judge and the Associate Chief Justice continue to ensure that that court, that very important court, as the member points out—and I agree with him that it's an important court—continues to do its work.

I can guarantee the member that we have a system right now where we are tackling issues of backlog, we are tackling issues of ensuring timely justice in a way

that is a complete contrast to the time when the NDP government was in power—and with the Askov result coming down, thousands of cases being thrown out. I appreciate the member's interest in this issue, and I will appreciate further questions from him, but I assure him that this is a system that's running extremely well.

## ACCESS TO HEALTH CARE

**Mr. Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** My question is for the Minister of Health and Long-Term Care. I was frankly both intrigued and pleased with the comments of the new president of the Ontario Medical Association, Dr. Greg Flynn, who said this about the 2004 budget: "New medical school and residency spaces will mean more doctors practising in Ontario and will result in an improved ability to care for patients."

Minister, quite contrary to the approach that the NDP has historically taken with decreasing spaces, it's clear to me that increasing medical school spots will, over time, increase access to doctors. I know we are already expanding our capacity with the opening of the new Northern Ontario School of Medicine this year, but I'm curious: Can you confirm that the 15% increase in medical school spots that you announced earlier today will be over and above the 56 new spots at the Northern Ontario School of Medicine?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Yes, I'm able to confirm that today I was there with my colleague the Minister of Training, Colleges and Universities, Dr. Greg Flynn, the president of the Ontario Medical Association, and Dr. David Naylor, the dean, about to be president, of the University of Toronto. At the very same site where, in 1993, under duress from the Mulroney government, the NDP announced that they were reducing our medical schools by 13%, I was very proud to have an opportunity on behalf of our government to announce a 15% increase in the number of undergraduate seats. They will begin to emerge as of this fall, and they're all part and parcel of a strategy on the part of our government to make sure that the challenging circumstances of today are not repeated tomorrow, that we're the government that is working double time to try to bill the capacity that was reduced by that government and very slow to be increased under the official opposition. So yes, 15% in addition to the northern Ontario medical school spots.

**Mr. McMeekin:** That's just great, Minister. I know the people in my riding who are very concerned about the shortage of doctors are going to be very pleased to hear that exciting news, because they know that in the long haul this is going to have a positive impact, not just in our riding, but right across the province.

I understand that as part of the \$95-million investment in medical education announced in our budget last week, the expansion of medical education represents just one component. Minister, can you please tell this House in what other ways our investment in medical education is



intended to improve the health care of the citizens of Ontario?

**Hon. Mr. Smitherman:** I refer this question to the Minister of Training, Colleges and Universities.

**Hon. Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** The member for Ancaster–Dundas–Flamborough–Aldershot has long been interested in the state of affairs in health care, and I appreciate his question.

In addition to the 15% increase in medical spaces, we are also launching a new collaborative nursing program in northern Ontario between Confederation College and Lakehead University which will bring more nurses to northern Ontario and will serve communities like Dryden, Kenora, Sioux Lookout and Fort Frances, where we want to ensure that Ontarians have the health care they need.

We're also turning the corner on the funding that medical schools have experienced over the past 10 to 12 years by increasing funding for clinical training, which is basically the foundation of a physician's education.

## HEALTH CARE

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** My question is for the Minister of Health. Last week you once again renewed your attack on your health partners who expressed legitimate concerns about your budget; namely, the hospitals that were predicting that with your budget there would be a possible layoff of 4,000 nurses and health care workers and a reduction of services. This is similar to a former attack that you made. You accused the OHA of crying wolf when they predicted nursing layoffs. Subsequently, however, you approved the firing of 757 nurses and provided almost \$100 million to fire them. Now you have derided the president of the OHA on the radio, calling her predictions of layoffs duplicitous. Can you guarantee today that not one single nurse or one health care worker will be fired?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Speaker, what I can guarantee today to all members of this House through you, and to the people of the province of Ontario, is that in a province like Ontario, which has 154 autonomous public hospitals with 154 CEOs and 154 board chairs, I will work with those representatives who work on the front line delivering health care.

I think what's appropriate is that we wait to have the debate framed until such time as those hospitals have been made aware of their allocation, not just for this year, but what the projected allocation is for the next two years. Yes, I'm confirming that we are the government—after years and years, perhaps decades, of promise—that will deliver on the principle of stable, predictable, multi-year funding. We think it's appropriate that before dire predictions are made and acted upon, as the honourable member is inclined to do, we actually give those who operate hospitals the opportunity to examine the impact of our enhanced funding on their budget.

**Mrs. Witmer:** I would remind the Minister of Health that the last time the OHA said there would be layoffs, he denied it. He subsequently, earlier this year, did provide severance and firing payments to 757 nurses. Obviously the hospitals are skeptical, as are the nurses.

I would say to you, that despite the fact you have more revenue this year, you have only provided increases to hospitals at half the rate of inflation. As you know, they have deficits left from last year. You have provided no details as to where you're going to take health care as you move forward in a very clandestine manner to implement your LHINs. You've already fired 757 nurses. You've spent months attacking the doctors. Now it appears you're trying to cripple the hospitals' ability to deliver care, and maybe what you want to do is transfer governance to the LHINs.

I ask you again, can you promise Ontarians that they will not see a single nurse or health care worker fired or another essential service cut?

1520

**Hon. Mr. Smitherman:** It's always fun to get a question like this from a minister who was part of a government that acted a bit like an axe murderer when it came to the issue of employment in these places.

*Interjection.*

**Hon. Mr. Smitherman:** I'm sorry, Mr. Speaker; they take offence. I withdraw.

On the heart of the matter, the issue here is a simple one: We have 154 hospitals in Ontario. They're independently managed. They have very, very high quality help, and they have very, very high quality leadership. We think it's appropriate, before we succumb to the temptation to address these issues on the basis of a fast press release, that we instead—

**Mr. John O'Toole (Durham):** That's a headliner.

**Hon. Mr. Smitherman:** He's not even in his seat, Mr. Speaker—that we give the opportunity for these hospitals and the leadership in them to see the resources that are available and to make decisions accordingly, not to deal with the scare tactics of a press release.

## AEROSPACE INDUSTRY

**Ms. Andrea Horwath (Hamilton East):** My question is to the Minister of Economic Development and Trade. Due to your government's inaction, Ontario lost the Bombardier C-series jet manufacturing contract. Securing this project would have literally put new life into the province's aerospace industry. We're talking about 2,500 final assembly jobs, 2,500 supplier jobs; in fact, \$250 billion in economic activity over the next 20 years. Minister, Ontario's aerospace industry is on the ropes. What are you going to do about it?

**Hon. Joseph Cordiano (Minister of Economic Development and Trade):** The aerospace industry is very important. It employs 23,000 highly skilled workers in this province. We made a very strong bid for the C-series final assembly. This was a competitive process. But let me say this: We still maintain that there should be

work for the workers at the Downsview site for Bombardier. The work there with respect to the Q-series prop is ongoing. There are four contracts, and I am set to sit down with the company, Bombardier, to discuss additional work packages. This is all part and parcel of a national strategy approach to gaining more work for that facility. There is going to be additional work for that facility, and I am certain of that.

**Ms. Horwath:** Minister, the truth is that Toronto lost the C-series project because your government didn't have a solid plan. Quebec had a plan to pledge \$118 million, and it said it would pay up to \$175 million for a factory that it would lease to Bombardier. They got the final assembly project. The UK government had a plan. They had a \$421-million plan, and Belfast won the contract to develop the wings and other parts.

Mr. Minister, your Premier was in Ottawa, talking to the Prime Minister. Did they forget to talk about aerospace industry jobs? I repeat, now that your lack of action has put Ontario's aerospace industry on the ropes, what's your plan to save it? You let it fly away. How are you going to get it back?

**Hon. Mr. Cordiano:** That's absolute nonsense and you know it. We had a very strong bid.

Let me just say, with respect to this industry, that it has a very bright future. I was talking last week about Goodrich, which won a contract worth \$6 billion for the Airbus. That's an Ontario company. The industry is on a rebound, and I guarantee this: We will be working with Bombardier to secure additional work for the great workers of Downsview in that facility. We're working with the federal government. I'm going to hold the federal government to their commitment to create a national strategy to make sure there's additional work for those workers at Downsview with regard to Bombardier.

**Mr. Ted Arnott (Waterloo-Wellington):** On a point of order, Mr. Speaker: In an earlier exchange in the Legislature this afternoon, the Minister of Health made one of the most offensive remarks that I've heard in the Legislature in my 15 years here, and I would ask him to apologize to the member for Kitchener-Waterloo.

**The Speaker:** Order. I don't know if you're making reference to the same comment that I heard. I asked the minister to withdraw and—

*Interjection.*

**Mr. Arnott:** It's an offensive remark, and he's done it again by saying he directed it at all of us. I would ask him to apologize to this House.

**The Speaker:** Order.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Mr. Speaker, in the interest of moving along with question period, I most certainly will. Thank you.

*Interjection:* Will what?

**Hon. Mr. Smitherman:** I withdraw, and to anyone who took any offence whatsoever, I apologize. I could have chosen my words more carefully, and I absolutely will try harder next time.

## AGRICULTURE FUNDING

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** My question is for the Minister of Agriculture and Food. John Tory says that the deficit is the self-inflicted wound and that we should have stayed within our planned spending. We know that our government chose to help our farmers through difficult times with emergency one-time assistance. We made the choice to help farmers of this province. With respect to the Ministry of Agriculture and Food, the leader of the official opposition has been very critical of our support for agriculture. Could you please educate Mr. Tory on what his party did to our farmers, the backbone of Ontario, while they were in power.

**Hon. Steve Peters (Minister of Agriculture and Food):** Certainly we witnessed the Tory commitment to agriculture: slash and burn the agriculture and food budget, lack of commitment for food safety within the agricultural budget, cuts to valuable research programs. All one has to do is to look at what happened. In July 1995, they immediately implemented \$12.8 million in cuts to the Ministry of Agriculture. By the time we arrived at fiscal year 1998-99, over \$100 million had been cut from the base budget of the Ministry of Agriculture and Food—program after program slashed and burned.

Unlike the Tories, who were prepared to cut the heart out of the agricultural community in this province, we chose to do the opposite. We chose to be there to support our farmers: last year alone, \$377 million Ontario dollars in direct support and investment of the agricultural community.

John Tory stands up and says we need to cut back on our spending. We are very conscious of where we're spending. We're investing in the future of agriculture in this province.

## PETITIONS

### HALTON RECYCLING PLANT

**Mrs. Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas noxious odours from the Halton Recycling plant in Newmarket are adversely affecting the health and quality of life of residents and working people in Newmarket; and

"Whereas local families have lost the enjoyment of their properties for themselves and their children, face threats to their health and well-being and risk a decline in the value of their homes; and

"Whereas for the 300 members of the nearby main RCMP detachment, as well as other workers in the area, the odours are making their working conditions intolerable;

"Therefore we, the undersigned, demand that the Minister of the Environment take immediate action to halt all noxious emissions and odours from the Halton



Recycling plant, and take all steps necessary to force Halton Recycling to comply with environmental rules, including closing the plant if the odour problems continue.”

I affix my signature as I am in support of this, and I'm pleased to give it to Alexandra.

#### NORTHERN ECONOMY

**Mr. Howard Hampton (Kenora-Rainy River):** I have a petition that reads:

“Whereas the northern economy has lost 6,000 jobs in the McGuinty government's first year of its mandate, mostly due to forest industry job losses;

“Whereas the McGuinty government is making the problem worse by increasing electricity rates by 12%;

“Whereas the McGuinty government has a billion-dollar investment strategy for the automotive industry, the film and television industry and the casino industry;

“We, the undersigned, petition the Ontario government to immediately implement an investment strategy for northern industries and stop the electricity rate increases that put at risk northern industries.”

This is signed by a number of people from across northern Ontario, and I have affixed my signature as well.

#### CLASS SIZE

**Ms. Kathleen O. Wynne (Don Valley West):** I have a petition from some members of my community.

“Whereas the Ontario government promised to cap class sizes to 20 children from junior kindergarten to grade 3;

“Whereas, based on the current formula, Bennington Heights E.S. will lose one whole teacher, which will result in class sizes of over 30 for all of our classes from grade 1 through grade 6;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“To keep its promise of decreasing class sizes and ensure that Bennington Heights E.S. students and teachers will not be subjected to oversized classrooms.”

I'll ask page Paula to take the petition.

1530

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** I'm very pleased to read this petition on the Huronia Regional Centre in Orillia.

“To the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

“Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities,

many of whom have multiple diagnoses and severe problems that cannot be met in the community;

“Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

“Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

“We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into ‘centres of excellence’ to provide specialized services and support to Ontarians with developmental needs, no matter where they live.”

Mr. Speaker, I'm pleased to sign this and present it to Kaitlin to take down to you.

#### CREDIT VALLEY HOSPITAL

**Mr. Jeff Leal (Peterborough):** We're trying to assist the Credit Valley people today. The petition says:

“Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016; and

“Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

“Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fundraising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients in the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite.”

I'll affix my signature to this petition and give it to my friend Alistair.

## SCHOOL FACILITIES

**Mr. John O'Toole (Durham):** I'm pleased to present a petition to the Legislative Assembly of Ontario on behalf of the many parents and community members of Ontario Street Public School, as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Street Public School community in Clarington wishes to alert the Minister of Education to a damaging situation with respect to overcrowding and underfunding at this French immersion school; and

"Whereas Ontario Street Public School is being penalized because it is located in the fast-growing urban centre of Clarington, but is part of a larger ... board that includes rural communities with declining enrolments and less access to public funding; and

"Whereas, despite its exceptional track record, Ontario Street Public School's French immersion program is being reduced from a K-8 to a K-6 program, with a cap on K-6 enrolment, and grade 7 and 8 students being temporarily housed off-site for a third consecutive year; and

"Whereas our single greatest need is in adequate housing of a program that has seen superior academic achievement and a unique community culture, building on strong values of success; and

"Whereas the entire Ontario Street school community is committed to working with the Minister of Education and all parties to explore a fair, practical and effective solution;

"Therefore we, the undersigned parents, students and friends of Ontario Street Public School respectfully petition the Legislative Assembly of Ontario as follows:

"To grant special consideration for a review of funding options that will protect and develop the existing K-8 French immersion single-track program at Ontario Street Public School in Bowmanville.

"To undertake the necessary actions immediately, in the context of the current budget, to resolve the urgent accommodation needs of Ontario Street Public School in the shortest time possible."

I'm pleased to sign this in support of the many constituents and present it to Kyle.

## CREDIT VALLEY HOSPITAL

**Mr. Kuldip Kular (Bramalea-Gore-Malton-Springdale):** This petition is to the Ontario Legislative Assembly.

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fundraising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

I affix my signature as well on this petition.

## TAXATION

**Mr. Jim Wilson (Simcoe-Grey):** I want to thank Ms. Norma Penny of Wasaga Beach for sending me the following petition:

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government's 2004 budget will break the taxpayer protection law by not conducting a referendum on tax increases; and

"Whereas Dalton McGuinty signed an election pledge on September 11, 2003, not to raise taxes without the explicit consent of voters through a referendum; and

"Whereas Dalton McGuinty promised in TV ads not to raise taxes by one penny on working families; and

"Whereas Dalton McGuinty pledged in writing to obey the taxpayer protection law, which requires a referendum before increasing taxes;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To ensure that all of the McGuinty government's tax increases are put before the people of Ontario in a referendum to force Premier McGuinty to obey the Taxpayer Protection Act."

I agree with this petition, and I've signed it.

## CREDIT VALLEY HOSPITAL

**Mr. Bob Delaney (Mississauga West):** I have a petition signed in part by Glen Miller of Gananoque Drive, the McTear family of Oslo Crescent, Betty and Hugh McGeach of Copenhagen Road and their neighbours, all of whom live in Meadowvale in Mississauga. It reads as follows:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016; and



"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fundraising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

As one of those who live in Credit Valley's catchment area, I wholeheartedly support this petition. I've signed it, and I'm going to ask Lindsay to carry it for me.

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** "To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

1540

"Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I'm pleased to sign that and again give it to Kaitlin to present.

#### POST-SECONDARY EDUCATION

**Ms. Shelley Martel (Nickel Belt):** I have a petition that comes to me by the Canadian Union of Public Employees, Local 3904. It reads as follows:

"Whereas rebuilding our post-secondary education system is critical to the future of our communities and our province; and

"Whereas high tuition user fees are resulting in massive student debt; and

"Whereas Ontario ranks second-last among all provinces in terms of total PSE budget received from government grants and has the highest percentage of total post-secondary education revenues from private sources; and

"Whereas working and learning conditions must be healthy and safe, because working conditions are learning conditions; and

"Whereas the deferred maintenance cost at Ontario university campuses is estimated to have already reached the \$2-billion mark;

"We, the undersigned, support the Canadian Union of Public Employees' call on the provincial government to invest sufficient public funds that will:

"(1) Restore public money cut from operating" grants "since 1995 and bring Ontario up to the national average for funding post-secondary education;

"(2) Finance the \$1.98 billion needed for deferred maintenance; and

"(3) Provide the funding needed to continue the tuition freeze beyond 2006 and increase grants to working-class families."

I agree with the petitioners and have affixed my signature to this.

#### ORDERS OF THE DAY

##### 2005 ONTARIO BUDGET

Resuming the debate adjourned on May 12, 2005, on the amendment to the motion that this House approves in general the budgetary policy of the government.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? The leader of the third party.

**Mr. Howard Hampton (Kenora-Rainy River):** I'm pleased to respond on behalf of New Democrats to what was, in my view, another very conservative budget.

Before addressing the specifics of the budget, I'd like take a moment to reflect a bit on what this budget and the really telling Conservative Party response to the budget say about the current political situation here in Ontario in the spring of 2005. I see the situation this way:

On the one hand, we have two centre-right political parties, the Conservatives and now the McGuinty Lib-

erals, who are looking to Bay Street for guidance, who are looking to Bay Street to tell them what to do. For the life of them, they can't articulate the difference in their overall fiscal priorities.

On the other hand, we have one progressive force, the NDP, which represents the mainstream values of an Ontario that increasingly embraces the principles of fairness, decency and public-spiritedness. I want to elaborate.

Over the past few days, I have read and reread the budget and also listened quite carefully to not only the budget-related remarks of Messieurs McGuinty and Sorbara but also Monsieur Tory. This is what I find remarkable: Taken together, this budget and Mr. Tory's complementary response to the budget outline a moderate, updated conservatism that fits nicely with today's Bay Street politics. Gone are the days of massive, across-the-board cuts and the obsession with balanced budgets, even if they are a phony balance, and budgets that cut taxes. Those were all the hallmarks of the 1990s-style conservatism. But what we have now in its place, in the form of the McGuinty government, are modest investments in health and education—much too modest for my taste—and an almost complete disregard for the everyday concerns of the average Ontarian.

I repeat, the McGuinty-Sorbara-Tory-conservative budget is a budget for Bay Street and for some Ontario elites. But the majority of Ontarians don't see anything that will benefit them in this budget. It is not a budget for ordinary Ontarians, and it is certainly not a budget that the New Democratic Party can in any way support.

I want to refer to some specifics. I'd like to elaborate on some of the issues which really stick out.

Example one: This is a budget blinded by the false Bay Street ideology that the private sector always does things better and cheaper than the public sector. The best illustration of this rigidly held ideology is the role that private, profit-driven financiers will now play under the McGuinty government in our schools, our hospitals, our transit systems, our sewer and water systems—indeed, the role that Bay Street financiers will now play in what we consider to be, and want to be, public services.

Put bluntly, so-called public-private partnerships, or P3s as they are generally known, will cost Ontario taxpayers billions of dollars more in terms of the financing of public assets. It boils down to this: If the government is going to build a hospital—it doesn't matter if we're talking about governments in Manitoba, Saskatchewan or, traditionally, governments in Ontario, British Columbia or Quebec—typically, if the hospital costs \$1 billion, the government would go and issue a 30-year bond for \$1 billion. If you go to the Report on Business pages in the Globe and Mail today, you'll find that the interest rate on that 30-year bond would be about 5%. So government would borrow the money directly and then provide the money for the building of the hospital. And since that hospital is going to provide public services for over 30 years, that bond would be paid back over 30 years. It makes sense. All the people who benefit from that hos-

pital, not just the people who are alive now, but people who will be born 15 years, 20 years, 25 years or 30 years from now, should make a contribution to the construction of that very necessary and very valuable public asset. By issuing a public government bond at 5%, all of us who benefit from that new hospital will, in effect, pay for it. Again, the interest rate would be 5%.

The McGuinty government, instead of issuing a government bond at 5%, now wants to go to Bay Street financiers and say, "You borrow the money." But those Bay Street financiers will want at least a 10% interest rate on that 30-year financing, and they'll want to make a profit. When you borrow \$1 billion to build a hospital, the difference between a 5% annual interest rate and a 10% annual interest rate comes out to hundreds of millions of dollars more. That's what the McGuinty government is up to in this budget.

Yes, this will be very popular with Bay Street—very, very popular—because the McGuinty government will literally be taking hundreds of millions of dollars out of the pockets of ordinary Ontario taxpayers and transferring that money to Bay Street on a speedway. Bay Street will love this: "Hey, instead of having to lend our money directly to government at 5%, we can do this private financing at 10% and make twice as much money; in fact, more than twice as much money."

1550

This will cost the taxpayers of Ontario, when you look at it over a 20- or 30-year period, not hundreds of millions of dollars, but billions of dollars. Will we get that many new hospitals out of it, that many new schools out of it, that many new university buildings out of it? No. Billions of dollars will go directly from the pockets of ordinary Ontario taxpayers into Bay Street financial corporations.

To give you just one real-life example, because we've actually had a chance to look at the numbers, the privately financed hospital in Brampton will cost about \$520 million to build. But because it is being financed through private, profit-driven financing, that will add an additional \$175 million to the cost of the hospital. What could you build with \$175 million that's now going to go into those private financiers' pockets on Bay Street? You could build several schools. You could build another small hospital in a smaller community somewhere else in Ontario. You could fix up the sewer and water systems in literally dozens of communities across Ontario. But that's not going to happen now. It's not going to happen in those communities because that money is going straight to the McGuinty government's financial friends on Bay Street through private financing. And I can't tell you how much I disagree with that direction.

Over the years, a 20- or 30-year period of this private financing, the public actually ends up paying 30% to 40% more for the same school or the same hospital. As I say, on a project like the Brampton P3 hospital, the additional cost through private financing at 10% interest rates rather than 5% interest rates comes out to \$175 million. I just want to say, I'm all in favour of building public



infrastructure. I'm all in favour of replacing older hospitals with newer hospitals that can provide a better service. I'm very much in favour of public transit. I'm very much in favour of fixing the roads and bridges across Ontario. But the private financing that the McGuinty government now wants to put in place will cost Ontarians far, far more and deliver far less.

What's really amazing is that Dalton McGuinty, just 19 or 20 months ago, when he was Leader of the Opposition, couldn't criticize private financing enough. He told his hometown newspaper in Ottawa, "I am opposed to private, profit-driven financing of public services because it costs too much. It costs taxpayers more, a lot more." And then he said that he would end the Conservative experiments with private financing. That's what he said before the election. Once again, this is another case where Dalton McGuinty says one thing before the election and then does entirely the opposite after the election.

I couldn't help but notice that the Conservative finance critic, Mr. Flaherty, was practically doing somersaults, congratulating Dalton McGuinty and Greg Sorbara for adopting the Conservative financial plan, for following in the fine tradition of Mike Harris and Ernie Eves. I've heard Greg Sorbara and Dalton McGuinty castigate the former Conservative government—castigate them, scorn them—and here we see them adopting the centrepiece of the Conservatives' private financing plan. No wonder the Conservative finance critic says, "Congratulations. You've finally come to see the Conservative view, the Conservative vision that public assets, public hospitals, public schools ought to have that much domination by private, profit-driven interests."

New Democrats reject that, and we reject it because we know Dalton McGuinty was right before the election: This will cost taxpayers far, far more, and looked at over a 10-year period, a 15-year period, a 20-year period, it's going to deliver the public of Ontario, the taxpayers of Ontario, far, far less. New Democrats can't support that.

The next thing I want to turn to, though, is what this budget does to the lowest-income people in Ontario. I remember, when the Conservative government came into office and cut the incomes of the poorest people in Ontario by over 22%, that most of the people who are now in the Dalton McGuinty cabinet couldn't speak in tones more holier-than-thou about that. When the Conservatives cut the incomes of the lowest-income Ontarians by 22%, Dalton McGuinty and company swung from the chandeliers. They said it was criminal. They said it was inhumane, that it was a vicious, vicious attack on the lowest-income people in Ontario, and they said it had to be reversed.

I read this budget in detail. Do you know what this budget does for the lowest-income Ontarians? Do you know what it does for those people who have to survive on Ontario disability support plan payments, for those people who have to survive on Ontario Works? Do you know what it does for them? It does nothing. Zero. Nada. It says to those people who have had their incomes cut so

badly, and who have also had to endure inflation rates at 2% and 2.5% a year, that the McGuinty government doesn't care one whit about them.

After all of those sanctimonious speeches, after all of that holier-than-thou rhetoric—that the former Conservative government was attacking the poor, was vilifying the lowest incomes and was attacking the most vulnerable—what did the Liberal budget do to restore any of that? What did it do to help the lowest-income Ontarians? Nothing. When you read this budget, it's as if someone who's struggling to survive on Ontario disability support plan payments or somebody who's struggling to survive on Ontario Works doesn't even exist. It is shameful. It is especially shameful when you put it in the context of all that holier-than-thou, sanctimonious rhetoric that we used to hear from the McGuinty Liberals. It is shameful.

Another example: the national child benefit. I know the McGuinty government likes to blame Paul Martin for all of their troubles. If you listen to the McGuinty government, it was Paul Martin who made all these promises in the election campaign without a plan to implement them, without a plan to do anything about them, without a plan to put the money in place to address the promises. You know, the federal government actually provides something called the national child benefit. For those who don't follow all the technical things, the national child benefit used to be known as the family allowance.

In my home, when I was growing up, my mother waited for that family allowance cheque to come in, because that's when my brother and I got a new pair of shoes, or maybe a new pair of pants or a baseball glove or maybe just some winter clothes. But that was important. Every family across Ontario waited for the arrival of the family allowance cheque and had plans on how to use that family allowance cheque to improve things for their kids, make a difference for their kids. Do you know what? The McGuinty government takes that money away from the lowest-income kids in Ontario. A family of four with two kids, struggling on Ontario Works or with ODSP benefits—when they receive the national child benefit, when they receive the equivalent of the family allowance, the McGuinty government reaches into the pockets of those children and takes that money back. They take \$3,000 out of the pockets of that family of four who are struggling on the very lowest of incomes.

**1600**

What's really interesting—actually, it's tragic—is that, once again, before the election Dalton McGuinty promised he was going to stop the clawback. He said the clawback was wrong. He said the clawback was immoral. He said he was going to end the clawback, that that money belonged to those poor kids. But after the election, what does the McGuinty government do? Once again, they adopt the same policy, the same direction, as the Conservative government they used to criticize. The McGuinty government continues to take the national child benefit supplement out of the pockets of the poorest kids in Ontario.

Since the election, we've been calling for the McGuinty government to live up to their promise on this

issue, to stop the clawback, to stop taking money from the poorest kids in the province. It hasn't happened. This budget didn't do anything for those kids.

I've received some of the postcards from these kids. I've received some of the postcards where they talk about what it means when the McGuinty government takes this money out of their pockets. They talk in terms of a child who goes to elementary school, when the parents don't have enough money for lunch, and they have to say to other kids at school, "I forgot my lunch," because they're too embarrassed to say, "In my house, we don't have enough money for lunch." It means kids going to school in beat-up shoes, where other kids laugh at them and ridicule them. It means kids ashamed to go to school because kids will laugh at them because their clothes are worn or their clothes are tattered. It means kids, when you have pizza day or hot dog day at school, who have to make up an excuse for why they can't buy a hot dog. They don't have a loonie for a hot dog or a toonie for pizza.

This shouldn't be happening in Ontario. This shouldn't be happening. But once again the McGuinty government is continuing the same policy they used to scorn the Conservatives for. The McGuinty government hasn't ended the clawback of the family allowance; they haven't ended the clawback of the national child benefit from the poorest kids in Ontario. They just ignore that serious problem, pretend it doesn't exist. But I have to tell you, those kids know that this exists. They know how difficult it is, they know how painful it is, and they know how disgracefully unfair it is.

I call again on the McGuinty government to live up to the promise they made before the election. End the clawback of the national child benefit. Stop taking \$2,000 or \$3,000 a year out of the pockets of the poorest kids in Ontario.

Do you know what? This budget shows that in the new, more modern 21st-century conservatism that both John Tory and Dalton McGuinty can share and take part in, there isn't really much concern for the most vulnerable. There isn't much concern for the most vulnerable even when they are kids who can't speak for themselves. There isn't much concern.

This becomes even more clear when we look at the two other child-related issues that we've been raising day after day in this Legislature: child care and IBI treatment for autistic children over the age of six. I saw the letter from Dalton McGuinty to the parents who have an autistic child. I saw the letter, and in the letter he said it is wrong to discriminate against children six years old and over. It is wrong to say arbitrarily that when a child reaches age six there will be no more IBI treatment for that autistic child. He said that the McGuinty government would end that discrimination.

You have to put yourself in the position of those parents. They see their child at age 5 or 4 receive, say, 12 months of IBI treatment: They see their child start to progress, they see their child start to become communicative, they see their child start to understand and

respond to instructions, they see their child all of a sudden become toilet trained, and they see their child starting to grow developmentally, intellectually, emotionally.

Then the government arbitrarily comes along and says: "Your child is age six now; no more IBI treatment." Imagine what that does to the those parents. Imagine what it does to them. Imagine what it does when someone like Dalton McGuinty before the election says to those parents "We will end the discrimination. We will ensure that children age six and over continue to receive IBI treatment and are not cut off." Then, after the election, what happens? The Dalton McGuinty government continues the same policy, the same direction, the same discrimination that was put in place and practised by the Conservative government that Dalton McGuinty and his team used to criticize and scorn. Imagine how those parents feel now. Imagine how those parents feel. I can tell you how they feel. They feel they have been manipulated. They feel they have been betrayed. They feel they've been taken advantage of. I could use stronger language, but I'm not going to do that here. I'll let those parents do that.

Then there's issue of child care. Wherever you go in Ontario today—small rural communities, small towns, large towns, small cities, large cities, metropolitan cities like Toronto or Ottawa—one thing you hear from family after family is, "We need access to affordable, regulated child care." That's what you hear. Parents are very specific: They want child care that is not-for-profit, they want child care that is publicly provided, they want child care that is regulated and they want child care that is of quality. Parents recognize that their kids, their children, are probably the most important things in their lives, the most important expression of their lives. They recognize that in an economy where more and more parents have to work at two jobs—he works, she works, sometimes they work at two and a half, three jobs to try to make ends meet—they need help with their kids.

They were promised by Dalton McGuinty before the election that they would see \$300 million of new provincial money invested in regulated, not-for-profit child care. What happened in the first budget? Nothing. What happened in this budget last Wednesday? Nothing again. Those people were ignored again. All they want to do is to look after their kids, to ensure that, whether children are two years old or a year-and-a-half old or three years old or five years old or seven years old, they have quality child care—quality child care which leads to better early learning, which leads to better child development, which leads to better educational results, which leads to better opportunities. That's all they want. Once again, Dalton McGuinty was prepared to promise that before the election, but after the election he is following the same policy, the same direction, doing the same thing as the Conservative government that he and his team used to criticize and scorn.

**1610**

Not only do I think Dalton McGuinty should keep his promises, but I think we need to recognize that these are



positive investments. These are investments that we need to make in our kids, in our communities, and they are investments that will benefit us far more than the financial cost of the initial investment. There has been study after study that has shown that for every dollar governments invest in not-for-profit, public, regulated, quality child care, we save \$7 down the road. Boy, that's a good investment: invest \$1 and save \$7. You save because those children are less likely to need special education, more likely to do better at school, less likely to get into behavioural difficulties, less likely to get in trouble with the law, more likely to go on further in school and more likely to actually succeed in employment. Those are all not only positive financial benefits but positive social and public benefits that we all benefit from. Not just those kids, not just their parents, but all of us benefit from those.

Once again, though, the McGuinty government isn't making those investments. They're not doing what they said they would do before the election. They are adopting and following the same direction, the same policies that they used to criticize and discredit when they were being implemented by the Conservatives.

I want to talk just a bit about housing. Affordable housing is important. I know the Conservatives used to say that if you help developers at the top end, they will build housing, and sooner or later some of it will trickle down to lower-income folks.

**Mr. Gilles Bisson (Timmins-James Bay):** How many condominiums built?

**Mr. Hampton:** There are lots of very expensive condominiums being built, condominiums I can't afford, condominiums that most of the people in this Legislature couldn't afford. Lots of those are being built. And, yes, those new, flashy, top-of-the-line, very expensive condominiums may influence rents at the top level. Somebody may move out of a very luxurious apartment building into a very luxurious condominium and, as a result, luxury rents at the very top end may come down a little, but I'm not talking about luxury rents. People who can afford luxury rents can look after themselves. I am talking about people who are struggling on minimum wage. I'm talking about people who sometimes have to work two and a half or three jobs on minimum wage, a husband and wife who are working three, four or five jobs on minimum wage, trying to pay the rent, put food on the table and look after their kids. I am talking about affordable housing.

We didn't see any affordable housing under the Conservatives' trickle-down strategy. And do you know what? Despite all the promises, despite all the holier-than-thou, I-feel-your-pain speeches from Dalton McGuinty, despite all the sanctimony, I don't see any provincial money, I don't see any provincial dollars dedicated to affordable housing from the McGuinty government. Incredible.

I used to hear speeches before the election that the McGuinty government was going to invest in affordable housing, that they were going to re-implement real rent

control. Do you know what? We haven't seen real rent control either. They said we were going to see real rent control within one year. Well, we are now well into year two, and there is no real rent control—no affordable housing, no real rent control.

Once again, it sounds like the McGuinty government is simply adopting the direction, the policy, of the Conservative government that they used to criticize. John Tory and Dalton McGuinty agree: You don't need to build affordable housing. That's the message that comes out of this budget.

A few weeks ago, there was actually a glimmer of hope. A modest federal-provincial deal was reached on affordable housing and the province agreed to match the federal contribution: approximately \$75 million a year over four years. But did I see \$75 million a year for four years in this budget? They didn't have to finance the whole thing. All they had to do was come up with some matching money to unlock the federal money. Did I even see that? No, not even that. After all that holier-than-thou rhetoric, after all those sanctimonious speeches, after all that condemnation of the lack of affordable housing policies of the former Conservative government, did I even see money from the McGuinty government that would unlock federal money available for affordable housing? No, not a cent, not a penny, nada, nothing for affordable housing.

Here's the result we find today. The truth of the matter is that the federal government is contributing \$81 million for affordable housing. What can the McGuinty government muster after two years, after two budgets? A measly \$30 million. That's not even a fraction of the money needed to build the 15,000 affordable housing units promised in the budget. There seems to be a trend here: The budget promises—another McGuinty promise—15,000 units of affordable housing, but when you look at the money, a measly \$30 million over two years, it's not going to build one tenth of that amount of affordable housing. To add insult to injury, there's no money for housing allowances in the budget; this is after the minister, Mr. Caplan, indicated that housing allowance money might be flowing within three months of the federal-provincial housing agreement that was signed.

Let me be clear again: Whether it's ending the claw-back of money from the pockets of the lowest-income children, whether it's money for the IBI treatment for autistic kids that was promised, whether it's the provincial money for child care that was promised that isn't there or whether it's the money for affordable housing that was promised and isn't there, this is a Bay Street budget. John Tory could say, "I agree with it."

**Mr. Bisson:** Jim Flaherty did already.

**Mr. Hampton:** Jim Flaherty says, "I could love it."

**Mr. Bisson:** He did.

**Mr. Hampton:** He did say he loves it. He practically did a backward somersault, he's so in love with it.

Bay Street has no trouble saying that they're in love with it. Why? Because this is the new conservatism. This is the new conservatism that John Tory represents and

Dalton McGuinty represents and that Bay Street is oh so happy to embrace.

This is not a mainstream budget. A mainstream budget in Ontario would end the clawback of the national child benefit. It would end the clawback of the family allowance from the pockets of the poorest kids in Ontario. It would stop taking money out of the pockets of the poorest kids in Ontario. But the new-style, new-image conservative budget of Dalton McGuinty doesn't do that.

A mainstream Ontario budget would invest new provincial money in child care, as was promised. But this new, trendy, 21st-century style of conservatism that we see John Tory and Dalton McGuinty so happy to embrace doesn't invest new provincial money in child care.

A mainstream Ontario budget would uphold the Charter of Rights of those children who suffer with the affliction of autism. It would stop the arbitrary and discriminatory conduct toward children six and older who suffer from autism. It would ensure that those children are treated fairly. But the McGuinty budget doesn't do that. Just as the Conservatives before discriminated against children age six and over who suffer from autism, the McGuinty government discriminates against them as well.

1620

A mainstream Ontario budget would match the federal dollars for affordable housing—it would match them and it would do more—but in the spirit of this McGuinty government's embracing of the new conservatism, the new conservatism that John Tory is quite happy to embrace as well, there isn't the investment in affordable housing. I repeat: It's this absence of compassion, this absence of caring about the people who are the most vulnerable, who are the least well off, who struggle the most, it is this absence of compassion and caring for those people that I find most disturbing. I have to say that this is something New Democrats can't countenance.

I know that some people want to say, "You know Hampton is old-fashioned. He believes in these things. He believes that we shouldn't take money out of the pockets of the poorest kids. He believes that we have a moral obligation to ensure that the lowest-income Ontarians have a roof over their head. He believes that we shouldn't discriminate against children because they went from age five to age six." If that's being old-fashioned, I have to tell you I am proud to be old-fashioned, because I think those are the values that the majority of people in Ontario agree with.

I want to address some of the other people who were totally ignored by the McGuinty budget. We know that farmers in the province are literally being pushed to the edge of the cliff. It's not a crisis on the farm: it is not a continuing crisis on the farm. It is a series of crises on the farm. And it's not just in the beef sector or the grain sector or the oilseed sector. Literally everywhere you go in rural Ontario, people who have worked their whole lives to build up their farming operation, to produce food for the rest of us in Ontario—you see more and more farm families being pushed to the brink.

I know that many of those families across Ontario were hoping—indeed I expect some were praying—that there would be some help from the McGuinty government. They were expecting that they would see a plan from the McGuinty government as to how they could, over the next six months, one year, two years, three years, reposition themselves so they wouldn't lose everything they've worked for. What did they find in the budget? What they found was that far from a plan to help them, far from a strategy to help them reposition themselves, far from a hand up, what they saw and what they see is a 23% cut, a 23% reduction in the Ministry of Agriculture budget. It is as if the McGuinty government drove by and said, "Oh, I see you're having a tough time. Gee, let them eat cake." There is no plan, there is no strategy, there is nothing here for the hard-pressed farming communities of Ontario.

I say "farming communities" deliberately, because it's not just individual farmers who are at risk here; it is whole communities. It simply goes up the chain: farmers, suppliers, people who are trying to lend and help farmers out are all at risk, and this budget does nothing to help them. In fact, when you read the details in the fine print, it does much to hurt them. It's as if the McGuinty government said, "Ontario extends through 416 and 905, and as far as the rest of Ontario, whether it's 807 or 705 or 519, you don't matter."

That kind of message simply doesn't reflect the real values of Ontarians. I don't think that the majority of people across Ontario want to see our farmers going bankrupt. I don't think they want to see our farmers losing their livelihoods, losing everything they've worked all their lives for. It doesn't represent fairness, it doesn't represent justice and it doesn't represent the kind of community that Ontario is.

But it is the new conservatism. What Bay Street wants—private financing of schools, private financing of hospitals and private financing of universities and colleges so they can make money out of our hospitals, make money out of our schools, make money out of sewer and water projects and make money out of transit systems—that's all in the budget. But farmers: "Let them eat cake." That's the message of the McGuinty government.

I want to talk just a bit about the part of the province that I come from. There are not just a few thousand people who work in the forest sector; there are tens upon tens of thousands of people who work in paper mills, pulp mills, sawmills and the associated operations. In fact, it is the second-largest earner of foreign exchange for the Ontario economy. It's either the second or third most important industry for Ontario. And what is the McGuinty government doing to those paper mills, pulp mills and sawmills? Shutting them down.

A paper mill in Kenora, in my riding, is surrounded by hydro dams that produce clean, affordable, sustainable hydroelectricity; hydro dams that are 30 kilometres, 40 kilometres or 50 kilometres away from the paper mill. Do you know what the electricity costs from those hydro



dams? It costs about a cent, maybe a cent and a half, a kilowatt hour. But do you know what those paper mills are paying for that electricity as a result of the McGuinty government's privatization by stealth, privatization through the back door of our electricity system? They're paying over seven cents a kilowatt hour now. Companies are saying, "If we're forced to pay seven cents a kilowatt hour, we're going to shut down this paper machine or we're going to shut down the whole mill." So you have 500 workers, and they're struggling. They're scratching their heads. They can't understand this. They know that if they go 30 kilometres up the road, the electricity that's being produced at that hydro dam only costs a cent and a half a kilowatt hour, yet the paper mill where they work is being charged seven cents a kilowatt hour and it's going to put them out of a job. They're saying, "How does this happen?"

I'll tell you how it happens. It happens with a government, once again, that used to scorn the Conservative approach of privatizing our electricity system, that used to attack the Conservatives over their strategy of privatizing the electricity system. It happens with the McGuinty government. Now that they're the government, they're following the same policy.

Oh, yes, there's a little difference. The Conservatives were going to do it through the front door. They were going to look people in Ontario in the eye and say, "As a Conservative government we believe in electricity privatization and we're going to do it." The McGuinty government believes in doing it through the back door. They tell people they're going to keep the electricity system public, affordable, sustainable and reliable; in the meantime, they're devising strategies to sell the system to the private financiers on Bay Street.

This is the new conservatism: You don't tell voters what you're going to do; you don't tell the public what you're going to do; you look at them, you smile and you say, "We'd never do that. We'd never privatize the hydro system," and then you go in the backroom and plot strategy to do just that: privatize it through the back door.

1630

That's why those workers in Kenora, those workers at the Abitibi mill in Thunder Bay, those workers at the Neenah paper mill in Terrace Bay, some workers at the St. Marys paper mill in Sault Ste. Marie, at Domtar's Cornwall mill—that's why so many workers in the paper industry are either losing their jobs or are at risk of losing their jobs: because the McGuinty government is raising hydroelectricity rates so fast and so far that those companies are simply saying, "We can't afford to do this; we can't afford to sustain ourselves."

All you have to do is look at hydro rates in Quebec, Manitoba or British Columbia and you see that paper mills in Ontario now are paying double what they pay in Manitoba, Quebec and British Columbia. That's why these same companies, whether they be Abitibi or Domtar or Tembec or Bowater, are investing in their mills in Quebec; they're investing in their mills in Manitoba; they're investing in their mills in British Columbia.

They're even investing in mills that they own in the United States. They're taking production that used to happen here in Ontario and they're moving it there, as a direct result of the McGuinty government policy.

A lot of those workers were hoping that they were going to see an investment strategy by the McGuinty government to counter some of this, or at least neutralize it. The McGuinty government boasts about an investment strategy for the auto sector—\$500 million; the McGuinty government boasts about an investment strategy for the movie and television sector; boasts about an investment strategy for the casino sector. But here are communities that are suffering as a direct result of the McGuinty government policy of rapidly raising electricity rates, and they're saying, "Where is the investment strategy for us?" They looked at the budget, and what did they find? Nada; nothing; zip. Once again, it's as if Dalton McGuinty and his government drove by northern Ontario and saw communities that are facing difficult circumstances and said, "Let them eat cake"—once again, the new conservatism that I know John Tory has no trouble endorsing and that Dalton McGuinty in his budget has certainly endorsed.

I want to be clear on where New Democrats stand. A paper mill in Kenora that is only 20 or 30 kilometres away from hydro dams that produce electricity at a cent and a half a kilowatt hour—clean, sustainable electricity at a cent and a half a kilowatt hour—should not be paying seven cents a kilowatt hour for that electricity. People shouldn't be losing their jobs as a result of that wrong-headed policy. If the McGuinty government can afford an investment strategy for the auto sector, the movie and television production sector and the casino sector, there should have been an investment strategy in this budget for the forestry sector, a sector which now really needs the help as a result of Liberal McGuinty wrong-headed electricity policies.

I also want to talk about the situation that First Nations are facing. I am one of those people who have probably been to the majority of the First Nation communities in this province. There are 55 First Nation communities in my own constituency, and I've been to First Nations in southwestern Ontario, in central Ontario, in eastern Ontario and northeastern Ontario. If there is one part of Ontario that constantly faces social and economic challenges, it is First Nations. I'm not going to go into the history; I'm not going to go into the wrong-headed federal policies that have been created and recreated and announced and reannounced; I'm not going to go into the fact that when treaties were signed with those First Nations, we agreed federally and provincially to share with First Nations, to share the land, share the resources and share the financial benefits that come from the land and the resources. That's history. What I know is that before the election, Dalton McGuinty and his team said that they were committed to forming a new, positive and progressive relationship with First Nations. They were going to work with First Nations to take up the challenges of reducing some of the economic disparity, the

educational disparity, the health disparity, the housing disparity.

I know a number of First Nations leaders across this province who were really hopeful. In the first budget of the McGuinty government they were told, "Wait, wait. Wait and you will see something. Something will be there." So they waited for the second budget, and the second budget came this last Wednesday. And what did they see in the budget? The budget of the ministry responsible for native affairs was cut by 22%. The ministry of native affairs has one of the smallest budgets of the whole government. It has a very small budget, and yet that small budget wasn't small enough for the McGuinty government; they had to go and cut it by a further 22%.

I say again, I heard the promises before the election, and now I know why so many of the First Nations leadership are disappointed. Indeed, many of them are angry, because they too feel betrayed; they too feel that they've been taken advantage of; they too feel that they have been told, "Let them eat cake."

Then there is the issue of Ontario municipalities. I'm talking here about municipalities, whether they be very large, like metropolitan Toronto, or whether they be the smallest, some of the small municipalities that I find in my constituency.

Just one issue. I remember when Dalton McGuinty stood in this Legislature and criticized the former Conservative government for downloading the ambulance system onto municipalities. I can quote him. He said to the former Conservative government, "Why are you forcing municipalities to take over responsibility for an ambulance system that is underfunded, that is broken down, that is underresourced, especially when they don't want the responsibility and they don't have the money?" That was the question he used to ask. That was the condemnation of the former Conservative government.

Is there anything in this budget to address that? I know municipalities were facing the awful decision of having literally to say, "We're going to cut back on ambulance services. We are going to start cutting ambulance services because we as a municipality do not have the financial wherewithal to operate them and the McGuinty government is not picking up their fair share of the cost. So we have no choice."

Then there's the issue of social assistance. I remember when Dalton McGuinty and many of his now cabinet ministers used to swing from the chandeliers here, criticizing the former Conservative government for not picking up their share of social assistance costs, for forcing those social assistance costs down onto municipalities that didn't have the tax base, the revenue base, the resources to pay for it. Municipalities were hopeful that they were going to see in this budget something that addressed that, something that recreated a level of fairness.

Did they see that? Did they see even a small measure to move in that direction? No. What did they see? They saw nothing, zero; nothing for those municipalities that are being financially hard-pressed to provide those

services, which, under the current rules, are actually a provincial responsibility.

**Mr. Richard Patten (Ottawa Centre):** Say one nice thing.

**Mr. Hampton:** The government wants to talk about so-called winners. Everyone wants to say that the health care system was a winner. But I went out of this chamber after the budget was presented and I saw the interview of the head of the Ontario Hospital Association, who said, "We told the government very clearly that our costs of running the hospital system are growing by about 7% a year." The population is aging. The population is increasing. There are more and more illnesses which can now be treated or addressed, and people are turning to the hospital system for treatment, for help. So the Ontario Hospital Association was very clear with the government: "If we're going to provide these health resources for people, the health treatment that people want and need, we are going to need about a 7% increase."

1640

Was there a 7% increase? No, it was significantly less than that. As a result, the head of the Ontario Hospital Association says, "Hospitals will again go through the same painful process they went through over the last 12 months: They will have to draw up plans and strategies to lay off nurses and other health care workers, because the money isn't in the budget to pay for those resources."

Once again, I remember when members of the McGuinty team used to castigate the former Conservative government for doing exactly that: for underfunding hospitals and forcing them to lay off nurses, nurses aides and other health care workers. But here we are; this is what the McGuinty Liberals said before the election. Now, after the election, they are adopting virtually the same approach, the same policy, the same direction that they used to criticize the former Conservatives for.

I actually had the opportunity to listen to the head of the Thunder Bay Regional Health Centre when he was asked by his local media in Thunder Bay what this budget does for the Thunder Bay Regional Health Centre. He was very direct. He said, "It does nothing for us. It puts us in a hole. It makes it very difficult for us. It puts us on a path where we will have to reduce services and look at laying off nurses and health care providers."

I want to again return to the theme that I talked about at the beginning. I started by saying that this budget makes it clear that there really are only two political philosophies represented in this Legislature. Both Dalton McGuinty and John Tory either subscribe now or have subscribed to the direction that the McGuinty government is taking. New Democrats believe that this new conservatism of the 21st century, which both the Conservative leader and the Liberal leader can join hands in, doesn't represent mainstream Ontario. It doesn't represent the progressive values of mainstream Ontario.

Mainstream Ontario is asking, "Why should we, as taxpayers, be forced to pay 30% or 40% more to profit-driven corporate interests when a hospital is built, when a school is built, when a transit system is built, when a



health centre is built, when a sewer and water system is put in place?" Why should taxpayers be forced to pay 30% or 40% more just so the McGuinty government can benefit its Bay Street financier friends? Why should people pay a 10% interest and borrowing rate on private financing for a hospital when the government could put out a 30-year government bond at only 5% interest? Why should the public be forced to pick up the hundreds of millions of dollars of greater expense just so the McGuinty government can benefit the Bay Street financier friends?

I say again, no one was happier than the John Tory finance critic, Jim Flaherty, who said, "They're adopting exactly what we Conservatives said they should do: private financing, for-profit financing, Bay Street financing." I cannot say how strongly this is the wrong direction. I cannot say how strongly I reject the McGuinty government forcing Ontario taxpayers to pay for the profits of Bay Street financiers when we want to build a hospital or a school.

I believe Ontarians really did vote for change 18 months ago. They really did want to see the end of the clawback of the family allowance, the end of the clawback of the national child benefit. They really did want to see autistic children age six and older not have to suffer from discrimination. They really did want to see public hospitals built with public money, not catering to Bay Street financiers. They really did want to see provincial money going to child care. They really did want to see nurses hired rather than nurses fired. But what's clear is that they are not going to see that from the McGuinty government.

When the Conservative finance critic can say that he is overjoyed, that he couldn't be happier with the Bay Street financing of the McGuinty government, that tells you just how little change there has been. That tells you that Dalton McGuinty and John Tory are happy to embrace this new 21st-century conservatism, where Bay Street gives the direction and Dalton McGuinty says, "Whatever you want, folks. We'll do it however you want."

I want to be clear: New Democrats reject this. We reject it outright. This is going to cost ordinary Ontarians hundreds of millions of dollars that people can't afford and that people shouldn't have to pay just to line the pockets of the McGuinty government's Bay Street financier friends.

**The Deputy Speaker:** Further debate?

**Mr. Mike Colle (Eglinton—Lawrence):** It has been a pleasure to listen to the leader of the third party as he rails on without any real hope. He is full of despair, full of negativity. I think he underestimates the people of Ontario. He underestimates their willingness to work, their willingness to invest, their willingness essentially to believe in each other. That's what this budget is all about.

You notice that throughout his whole hour-long rant, he never once mentioned an investment in our young people. This budget made an historical investment in our young people, in skills training, in our universities and

colleges. It was unprecedented. The leader of the NDP does not mention one word of this historic investment. There was more invested in our young people in this budget than there was in the last 40 years. He doesn't believe in the future of this province. He believes in being a pessimist, he believes in being negative and he doesn't care about the future of this province and how we have to invest in our universities and colleges.

He doesn't understand that there's a changing economy. He doesn't understand that in Hamilton, the number one employer is now the Health Sciences Centre, McMaster, a world-leading institution where some of the best young men and women are doing research. They're helping people with illnesses. It's a cutting-edge university hospital. It's the number one employer. He doesn't mention that. In London, another great Ontario city, the number one employer is now the London Health Sciences Centre, affiliated with the University of Western Ontario, where again we have the best and the brightest, with all kinds of potential.

He doesn't understand the new economy. He's in the past. He's stuck in negative views out of his rear-view mirror. You've got to look ahead when you're driving a car, and that's what this budget does. You've got to look ahead into the future.

If you look at the United States, the number one state in terms of per capita income is not Texas or Alabama, it's Massachusetts. What do you have in Massachusetts? You've got centres of excellence for learning and for health care. You've got MIT. You've got Harvard. That's what we have to emulate. We can't keep harping back on things that happened 40 or 50 years ago. We've got to go ahead, and this budget goes ahead with a \$6.2-billion investment in our universities and colleges—unprecedented.

**1650**

This also means very real things to our ordinary working families, who will save anywhere from \$500 to \$2,500 a year in tuition fees because of this budget. These are working families who want to send their child to university or to college or to a skills training program. They are going to save up to \$2,500 per child. Sixteen thousand students of low income will be able to get a \$6,000 grant. So it's not only the universities and colleges that benefit; it's also the families and the bright young people we have in this province who want to work and want to be part of this exciting new economy.

We forget that these colleges and universities are economic drivers. All we have to do is look at the miracle that took place in Ireland in the last decade. It wasn't done on the old economy; it was done on the new intellectual economy. As Thomas Friedman talks about in his book—and I really ask the member from Rainy River to read Thomas Friedman's book, *The World is Flat*—the world has changed. It's no longer the world of worn-out steam engines. We are now into the intellectual economy. It is a flat-earth economy. That's what is changing, and we have to appreciate it.

This budget does some fundamental things that are not very dramatic, you might say, in a tabloid sense, but what

it does is it puts the financial house in order. The deficit that we inherited has basically been reduced by half, by 50%. That's quite an accomplishment: from \$6 billion down to \$3 billion. That is an unheralded accomplishment, really, that is in this budget. It puts the financial house in order so that we can put money into our universities, into our health care system, into our elementary schools, into our child care centres.

We first of all had to do that, and that was not done by accident. If you'll recall, the second bill this Legislature passed was Bill 2. What Bill 2 did was it rolled back the proposed corporate tax cuts of the Tories, because we knew this was not a time to continue tax cuts to corporations, that we instead had to invest that money into our health care system, our universities and colleges and our cities.

It's ironic that the NDP leader rails about Bay Street, yet he voted, along with the Tories, to continue the corporate tax cuts worth billions of dollars. He can't have it both ways. He can't say, "You should be hitting the corporations," when he voted to give the corporations huge corporate tax cuts.

We, in Bill 2, decided that we needed that corporate tax revenue to invest in our universities and colleges. That is why we have been very fortunate in this budget, because of this long-term plan, that we got an increase in corporate tax revenues of \$1.2 billion. What did we do with that \$1.2 billion in corporate tax? We put it into our universities and colleges, into our municipalities. We put it into our cities, in the gas tax. We invested that money.

Then we have this railing about privatization and Bay Street. I wonder what the NDP leader really sees wrong with our pension funds—teachers' pension funds and the Ontario municipal employees' pension funds, two of the biggest pension funds in North America—that maybe, for a change, they might partner with us, the government of Ontario, to build schools, bridges, transit systems, water systems. These are the ones that the NDP leader talks about as being Bay Street privatization friends of ours.

We have to build this infrastructure. We've got a water infrastructure deficit in the tens of billions of dollars, a public transit infrastructure deficit, our roads. Our northern economy needs infrastructure investment. Instead, others on the opposite side say, "Bury your head in the sand. Don't do anything. Just go into more and more government debt," which we are trying to get out of by being a bit more prudent in the management of our fiscal long-term plan.

I think partnering with the pension funds of teachers and with the pension funds of municipal workers is a good way of investing in our sewer work, in our road work, in our hospitals and schools. Right now, that pension fund money is going to England to invest in similar projects, because Prime Minister Blair in England welcomes that. I think he's a socialist of sorts, like Mr. Hampton is, but he says it's OK to take Ontario money. Yet we say, "No, no. Don't use the pension fund money here in Ontario. Let it go to England." That doesn't make sense. It doesn't make sense to the people of Ontario,

because the people of Ontario say, "Listen, I want that bridge fixed in Chatham-Kent. I want that water system fixed in Walkerton." They want that infrastructure. That's why we put—

**Mr. Michael A. Brown (Algoma-Manitoulin):** We could sell the GO train.

**Mr. Colle:** I don't want to get into that.

The budget has \$30 billion of government money put aside as the core revenue to finance infrastructure for the next five years. We have to get to work on that infrastructure. We can't debate 19th-century socialism any longer. We've got to get down to building those sewers, roads and power plants. We have to move forward on those fronts without any more delay or any more excuses. We've got to move ahead.

If you look—

**Interjection:** Thirty billion dollars.

**Mr. Colle:** Thirty billion dollars, along with what we can partner with, like pension funds, for example.

Also, some people mentioned, "Why is this budget good for the city of Toronto?" The Minister of Finance said very eloquently, "I think in the city of Toronto we're investing in some of the most inspiring institutions in this country or in North America"; that is, Ryerson University, York University, the University of Toronto, our community colleges. We've got Mohawk College, Durham College, we've got Seneca, we've got George Brown and Humber. They are one of the economic drivers in the GTA. Our colleges and universities employ tens of thousands of people in good-paying jobs, plus they educate our future scientists, our future doctors, our future pianists, our future politicians perhaps—whatever it is. By investing in Toronto's universities and colleges, in London's universities and colleges, in Ottawa's, the University of Ottawa and Carleton—those are economic engines in all those communities. We have to look upon that investment in the long term, and therefore it's good.

This budget is also good for cities because it invests in infrastructure. It invests in the building of 15,000 affordable housing units: 15,000 affordable housing units on which we are going to partner with the federal government.

By the way, we are not including in this budget any of the arrangements made between Premier McGuinty and Prime Minister Paul Martin. We are not counting those dollars in. That is really a silver lining. In the future, if we get that commitment of money, we'll be able to do even more than in this budget. This is a modest budget in many respects, although I think it's very bold when you look at the investment in our universities, in our colleges and in skills training. It's unprecedented in that regard. You've just got to fathom that \$6.2 billion and what it's going to do for our students, our economy and our cities where those universities are housed.

I think we have to start to look at Ontario not as yesterday's economic engine but as tomorrow's intellectual economic driver. We've got to be more like Ireland, more like Massachusetts. We could learn from our competitors abroad, because we're no longer in competi-



tion with Quebec. We're no longer in competition with Michigan. By the way, Ontario has now surpassed Michigan in automobile production.

**1700**

We're always talking about Detroit and cars. The pages will know about this. When the pages think about cars, they think about Detroit. That's not the case any more. We've surpassed Michigan. We're the number one producer of automobiles in North America—Ontario—because we've invested strategically in our automobile sector in a very aggressive way, whatever the company may be. And we're going to have even more investment, because we're at a competitive advantage to our American cousins, who are having a heck of a hard time paying for their health costs. Our health costs are part of our legacy here in Ontario, where you have one of the best public health care delivery systems in the world. It has its challenges, and that's why we put over a billion and a half dollars again this year into this health care budget: because we have an imperative to transform health care. We're going to continue to invest in prevention. That's why, for the first time in Ontario's history, we've got free vaccinations for children—to prevent serious illness from happening in the first place. That's why we're investing in immunization.

**Interjection:** Six hundred dollars per child.

**Mr. Colle:** Six hundred dollars per child. We're doing that with this budget.

We're investing in our seniors. Someone asked me, "Well, what's in this budget for seniors?" I say, "If you look at the health care investment in nursing home care; in home care, it's unprecedented, hundreds of billions of dollars; long-term care and the cataract operations we're going to be able to deliver in a more timely fashion." These are serious investments in our seniors, who benefit with our investment in our health care system.

We want to ensure that there is an ongoing improvement in our health care system. That's why we've got 52 new family health teams springing up in Ontario to meet the demands of the underserved areas. This is a dynamic new funding venture for this budget.

We've got all kinds of initiatives that ensure that our hospitals are not the only place where you go for health care. That's why we're trying to do more home care investment in this budget. We're trying to do more emphasis on lifestyle changes, everything about banning junk food. We're looking at prevention. We're looking at investments in healthy Ontarians.

We're also very concerned about public education. That's why we're unequivocal about our continued reinvestment in public education in this budget. We haven't forgotten the elementary schools, the smaller class sizes. In the early years, those are of critical importance. That continues on in this four-year plan in this budget in our high schools. We're continuing that investment in our secondary schools all across this province in this budget, and that is an ongoing continuation of the last budget.

We're also doing things that are part of our heritage. We're ensuring that our cities continue to flourish, and

that's why one of the things we're doing here is beginning the uploading of services. We've increased the grants to municipalities and cities again this year by over 6%, so all the municipalities right across the province have a 6% increase in funding for their services. We're no longer downloading services; we're beginning the fair treatment of our municipalities. That is something that is ongoing in this budget.

The other interesting thing is about our agricultural partners. The budget, year over year, has increased, and we'll be there. As the Minister of Agriculture, Mr. Peters, said, last time we had the \$170-million top-up for farmers who are in need and the \$30 million for beef farmers. And we'll be there if our farmers need us again, as we were last year. We're not afraid to help our farmers in a time of need and will continue to do that.

In terms of initiatives that we have to remember are very important, this budget continues to invest in job growth. You can talk about all these needs that are out there, whether it be in health care, education or our cultural sector. I should mention that we passed the historical heritage act. The Ontarians with Disabilities Act will be reinforced with this budget. But if you look at the jobs—146,000 new jobs created in Ontario since we took office—146,000. The Ontario economy is continuing to grow.

Despite a 20% increase in the value of the American dollar, our Ontario economy is still vibrant. It overcame that and still had very healthy growth. People said, "Well, with that high American dollar, Ontario relies so much on exports to the United States that it's really going to be in a tailspin because of the high dollar." We've overcome that high American dollar, and I think it really shows, as I said in my beginning remarks, how resilient the Ontario economy is and how strong it is despite the challenges of that high dollar and of high gas prices.

The Premier is leading the way. He is not afraid to stand up for Ontario. He is fighting for our fair share so that we can continue to grow this economy. That's why we're talking about the \$23-billion gap that has to be narrowed and about investing in our new Canadians on an equal basis. Those are all things that are going to continue to be on our work agenda. But this budget stabilizes our plan because it reduces that deficit. It continues investment in our priorities.

It was a tough budget, because 15 ministries had to make some tough decisions. They were flatlined because we still face this deficit. We still face economic challenges. Like in every household, you can't say yes to every child for everything they want. You make choices. You can't always buy a new car, you can't always build that addition, so you make choices. But the basic choices here are pretty fundamental to our core values. We said in the last election that we were going to invest in health care, and we're investing in health care big time: almost \$33 billion. We're investing in education: again, unprecedented educational investments right from preschool all the way to \$100 million for postgraduate students.

Those are Liberal core values. We've stuck to them, and we're making great headway in reducing that deficit

so we can invest even more next year in our future, in our students, in our elderly and in this great province. I would not put this province down. I think it's got incredible potential. Let's make it better.

**The Deputy Speaker:** Questions and comments?

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to rise today to respond to the first government speaker in the rotation. I would like to ask a question. Hopefully, Mr. Colle can respond to this in his summation. My concern is the announcement of the \$30 billion. I applaud the government if there is \$30 billion of provincial dollars to actually invest. The question I'm asking is, in the budget document on page 75 it shows capital expenses to do with all the different ministries. I'm curious where any of the \$30 billion is on page 75 of the budget. I can't find anything, in fact: a little bit of money in culture, some money possibly in infrastructure renewal, but they certainly don't add up to even a fraction of \$30 billion.

I would expect, if it's over a five-year period, that we would see an amount of \$4 billion or \$5 billion; maybe they're going to spend more toward the end of the five-year period. I would just like the member to show me or tell me where and how much money the Dalton McGuinty government is going to spend of the \$30 billion that he's announced on page 75, and how much will be spent in the fiscal year 2005-06, the year we're dealing with today.

I think it's important, because to me this budget is very grey in a number of areas. It has a nice little comfortable budget speech, but I don't see in the wording and in the mathematics where in fact we see the actual dollars being spent. I would like that clarification from the government.

1710

**Ms. Shelley Martel (Nickel Belt):** In response to some of the comments that were made by the member from Eglinton—Lawrence, I wanted to touch on immunizations first, because I heard him say that we are investing in immunizations. Really, it's the federal government that's investing in immunizations. It's federal money over three years—\$150 million in each of the three years—that's actually going into immunizations. That was money that was allocated in the federal budget last year. So for the next three years, the full cost of the program for immunizations is actually being paid for by the federal government, through their immunization program.

It's always ironic to me when I hear Mr. McGuinty trying to say we've been shortchanged. He doesn't ever mention the programs that are already being funded with federal dollars, like the child care program, which is the next one I want to reference. The fact of the matter is that the \$300 million that the Liberals, before the election, said they were going to invest doesn't show up again in this budget, and the announced money for child care is entirely dependent on whether or not the federal budget gets passed at the federal level—and the way things are going in Ottawa these days, it's really hard to know. So, in fact, the only money that has been invested in child

care under the Liberals has been all federal money, all of the time. That's the money that has been invested. Not a single new provincial dollar has gone into child care in the province of Ontario despite the election promise that was made.

If I look at family health teams, I want to point out to the member that over half of the family health teams that were announced were actually already operating. They were the former family health networks that were established under the Conservatives that were up and operating in so many communities. So it's kind of ironic that the government that used to bash the Conservatives for their sins actually just transferred over half of them into family health teams and they continue to operate in the way they did under the Tories. So there's not a really new, significant investment in either new doctors or new health care professionals through that scheme, which is a bit too bad.

**Mrs. Liz Sandals (Guelph—Wellington):** I'd like to commend my colleague from Eglinton—Lawrence for his excellent summary of all the good things in our budget.

I would like to go back and think a little bit about the comments from the leader of the third party, specifically about agriculture.

My riding has more people in it who are either directly employed by the Ministry of Agriculture and Food—because that's actually where OMAF headquarters is located—or who are indirectly employed by OMAF—because the University of Guelph holds a significant research contract with OMAF. So I have more people who are directly or indirectly employed by OMAF than any other riding.

I would like to tell you that the comments of the Leader of the Opposition and the leader of the third party, in which they have tried to misrepresent the true state of the agriculture budget—

*Interjections.*

**The Deputy Speaker:** Perhaps the member for Guelph—Wellington would like to withdraw that and choose a different word, please.

**Mrs. Sandals:** I withdraw, sir—in which they have had an interesting interpretation of the numbers in the budget—the core agriculture budget this year is \$564 million. That is a \$15-million dollar increase in the core budget over last year's core budget.

I want to assure my constituents, who have been very distressed by this mangling of the arithmetic, that the intent of this budget is not to decrease the core budget at the Ministry of Agriculture and Food. It makes me very angry when people who are trying to score political points distress real people with real lives. My constituents don't deserve that.

**Mrs. Julia Munro (York North):** I want to raise a couple of questions and just a concern that the member from Eglinton—Lawrence raised in his comments.

I appreciate his comments with regard to the new economy and the fact that in Hamilton and London the health sciences centres are the recipients of new money, according to the minister, in this budget. I think that most



of us would appreciate the importance of ongoing investment in this area. But I also found, as I listened, that there was some concern in my mind. Being the largest employer raised a warning flag for me in the sense that it is only through robust employment that any government can spend the kind of money that this government has proposed in its budget to be able to support those. I realize that this government is particularly happy about its corporate tax windfall of \$3.1 billion, but I do think that as a government goes forward, it has to always be cognizant of the fact that paying for any of this comes from the pocket of the taxpayer. So any kind of initiatives have to be managed in a prudent way that ensures we can continue to provide this kind of support for institutions such as those named by the member, and that comes with the kind of strong economy and the jobs that are important.

**The Deputy Speaker:** Member for Eglinton-Lawrence, you have two minutes to reply.

**Mr. Colle:** I really welcome the constructive comments, member from Simcoe North, and I would just like to say that the Minister of Public Infrastructure Renewal will be giving out those details on how much per year and how this plan unrolls for the \$30 billion. I think he'll be more than happy to sit down with him.

The member from York North made an excellent point. If we don't grow the economy, keep people working, allow small business to flourish and also keep big businesses working in Ontario, we won't be able to pay for our health care system. That's why in this budget we're trying to do that with no new taxes and no tax increases.

To the member from Nickel Belt, the thing that astonishes me is that she still doesn't get it. She talks about how we're using federal money for health care—immunization—and for child care. It's our money. It's Ontario taxpayers' money. The hard-working people of Ontario, who work their derrieres off every year and every day, write a cheque to the federal government of \$23 billion, and the Premier of this province has the backbone to stand up and say, "Let's keep some of Ontario's money here so we can invest in our children: in child care, in immunization." I don't see what's so complicated about that. I don't know why you're going to defend these federal dollars. They're our dollars. The dollars are Ontario dollars that we want to keep here for our schools and our hospitals, to ensure that Ontarians get the services. For the member from Nickel Belt to say, "Those are federal dollars"—wake up. They're Ontario taxpayer dollars. That's why the Premier is winning applause all across this province when he says, "Stand up for Ontario for a change."

**The Deputy Speaker:** Further debate?

**Mr. Dunlop:** I'm very pleased today to be able to rise and start off some of the 20-minute rotations for our party. Our critic Mr. Flaherty, the member from Whitby-Ajax, will be speaking on this tomorrow.

The motion calls on the House to approve in general the budgetary policy of the government. In a positive

comment, I do applaud the government for fulfilling some of the commitments of the Rae report. I sat in on meetings with Mr. Rae. I have a community college in my riding, Georgian College. Let me put it two ways, because I think it's important that the government doesn't try to grab all the credit for post-secondary education. We finished some substantial projects under the Super-Build program for the 1,000 people places. Georgian College, in my riding, received about \$25 million of that money and built some beautiful new facilities. I know that there still has been a problem with the funding and the college will appreciate any funding that they receive in this budget.

1720

As well, I have talked to the Minister of Training, Colleges and Universities and sat in on a number of meetings, because we do have, in the case of the riding of Simcoe North and the city of Orillia and district, plans to possibly hold a satellite campus in the city of Orillia. Right now we are negotiating with Lakehead University, so we are very pleased if anything like that can happen and more than happy to—OK. I just had a note passed to me. Overall, it's important that we acknowledge the Rae report recommendations and the fact that the government has started to fulfill those.

I wanted to say something about the budget, and I'm very curious why nothing happened in this particular area. Just today we passed Bill 3, Mr. Levac's bill, in the House with a recorded vote. I also support that piece of legislation, as I support the legislation by a number of private members who have introduced different bills in this House. I am really curious why the government would not have actually put their approval or support of those bills, and possibly some money to go with it, in the budget speech. I think it does a lot when a private member is doing something really good in this House, like Mr. Gravelle and Bill 55, the insulin pump bill, and it's always great to see that the bill can be acknowledged in the budget. We didn't see that this year and I think it is a little bit disappointing, because it was a real opportunity to promote some of the really good things that all the members of this House support. Mr. Gravelle, for example, has been working on this for some time and I know he would really have appreciated that. I think a lot of the members in the House would certainly have supported it, as they would Mr. Levac with Bill 3. I know it is what we call water under the bridge, but the bottom line is that it's an opportunity for this Legislature to support things that all members of the House are doing and then incorporate them into the finances of the province as well.

I've had a number of concerns about the budget, though. As a member of the opposition, I have to put my concerns on record and I have to follow up what I have been hearing from my constituents in the last few days. One of the first e-mails I received was from a lady up in Oro-Medonte township. She heard the budget clearly and asked, "What about seniors? What are we doing for seniors in this budget?"

There is a growing senior population, they are fairly well organized, and we didn't see the word "seniors" in the budget speech. I am curious why. I felt that that was an area in which the government should have brought forward possibly some funding in a certain area. I can tell you that the seniors in this province are, on a yearly basis, having an increasingly difficult time in survival, particularly those on very fixed incomes. We have seen increases in things like insurance. If they own a car, automobile insurance has gone up. Their hydro costs are going up, their energy costs, gasoline etc. Drug costs are rising substantially. We think that the government should have addressed that in the budget as well.

I have to disagree with the member from Guelph-Wellington when she talks about the agriculture budget. I have to read the press release from the Ontario Federation of Agriculture. I will read it out right now. I want to put it on the record. This is the news release from the day of the budget. It says here, from the Ontario Federation of Agriculture news release, "It's What's Not There that Hurts Farmers."

"Toronto—Ontario farmers listening to Finance Minister Sorbara's delivery of the 2005 budget were probably left with a terribly empty feeling Wednesday. While agriculture was given four paragraphs in the minister's budget speech, there was no new investment announced for the industry.

"That is a huge disappointment for Ontario's farmers working in Ontario's second-largest industry," said Ron Bonnett, president of the Ontario Federation of Agriculture.

"Now we need to be concerned with where Hon. Steve Peters, Minister of Agriculture and Food, will be making cuts within his ministry. With another \$169 million cut from OMAF's operating budget, something's going to suffer," Bonnett said.

"Minister Sorbara recited the government's recent spending on agriculture—\$170 million for grains and oilseeds producers, and up to \$30 million to facilitate the recovery of the livestock industry.

"OFA, in its pre-budget submission to Minister Sorbara, reminded him of a number of outstanding issues that needed additional funding to relieve the mounting pressure on farmers and their families.

"Funding announcements at the end of March provided some relief for farmers hit by losses on their 2004 crops, but 'today's budget made no mention of further losses these farmers are projected to take this year,' Bonnett said.

"The grains and oilseeds sector is expecting to be short another \$300 million for 2005; livestock producers continue to watch their losses mount as a result of the BSE crisis; farmers faced with provincial legislation requiring large investments to comply with the Nutrient Management Act got no good news from the budget; and fruit and vegetable producers' needs for an extension of the self directed risk management program were ignored.

"Creation of a \$3-million research chair at the University of Guelph was as close as Minister Sorbara came to

recognizing anything agriculture sought from the province. 'Certainly not an encouraging budget for Ontario farmers,' Bonnett concludes."

So where they got all these increases out of the budget is beyond me. I have to support the Ontario Federation of Agriculture. They do represent the farmers in the province of Ontario. I talked to the OFA representatives in a number of different areas. I can keep reading out press releases from our agriculture stakeholders, if anyone would care to listen to them, and I can pass them on to other members to speak to as well. But I think what's important is that, again, this government has no concern for rural Ontario. I will say that directly. I'm disappointed. When we saw the care that some of the other areas were getting, like post-secondary education, I thought there should have been a little something in there for the people who grow our food in this province.

I wanted to go over to the announcements in the budget again. I want to point out that for the second year in a row the word "police" was not mentioned in the budget; "community safety." The minister has currently three pieces of legislation before the House: the mandatory gunshot wound bill, the grow-op bill and the bill on private security. All three of these pieces of legislation will require additional funding from the government. It's as plain and simple as that. On top of that, the government has a commitment, an election platform commitment, to provide up to 1,000 new police officers to do community programs.

If we're going to have a safe and secure society, I think it's important to this House that we acknowledge the fact that we'll have to put more resources into community safety. A lot of these areas have grown in strength, in the issue area, during the mandate of this government. I'm thinking of things like the increasing number of grow-ops; there has been more gang violence; the Internet-luring and child pornography issue. These are growing at an enormous rate. They all need substantial investments. And when I don't see the words "police" or "community safety" mentioned in a budget, I have to be very leery. For that reason alone, as a critic for community safety, I cannot support this budget. Maybe there's some money hidden somewhere; who knows? The budget is so grey, if you read through this, it really tells you nothing. It just does a lot of bragging. It does nothing, really. It doesn't direct where any money is going.

**Mr. Lou Rinaldi (Northumberland):** Tell us more about education, Garfield.

**Mr. Dunlop:** Well, no. You can talk about education, but when the member who's heckling me wants to stand up and point out where this money will be found in the budget—show me in black and white, like I asked the parliamentary assistant, where the money is being spent in these areas and I will be more than happy to acknowledge that. But I don't see any money in community safety, I don't see the word "fireman" mentioned, I don't see the word "senior" mentioned, and of course, as the leader of the third party mentioned, nothing for



autistic children. Mr. McGuinty went out and promised everybody what they wanted to hear prior to the last election. He told the parents of autistic children, "Absolutely, we will be providing IBI treatment for those children over the age of six." And of course they are expecting this funding. What happened? He's appealing a court decision. He's just going against the grain and actually reversing his decision, and now people are saying, "It's just one more broken promise." That is something that I think we all should be concerned with in this House.

1730

As you read through a fancy budget speech like this, we don't see seniors, we don't see police, they don't mention that agriculture was actually cut, but the bottom line is that here we are again—you know, we're back at it. What I see is a lack of concern for rural Ontario. We've seen that just recently in the COMRIF announcements from a couple of weeks back. The government has brought up this greenbelt legislation. We know that there is 1.8 million acres in the province of Ontario that will basically be frozen out of development. Of course, developers—we need to put people somewhere, so there is going to be leapfrogging of development in the province of Ontario. I happen to be very concerned about that, because a lot of that leapfrogging will take place in the county that I represent.

*Interjection.*

**Mr. Dunlop:** I hear the member from Durham saying it'll be in Durham. And it will be. There will be a leapfrogging effect. Yet if we're going to have growth far faster than normal in different parts of rural Ontario, the municipalities are going to have to be supported with that growth. In the county of Simcoe, I had the only sewage treatment plant mentioned in all of the county of Simcoe. In all of the county of Simcoe, in Barrie-Orillia and the 18 municipalities within the county of Simcoe, something like a population of 400,000, only \$3 million, and that's the total contribution—federal, provincial and municipal—for one sewage treatment plant. I think it was only \$5 million in total spending that went to the county of Simcoe municipalities. We've got a concern with that. The government brags about their \$30 billion over 10 years—

**Mr. Colle:** Five years.

**Mr. Dunlop:** Sorry, over five years; I stand corrected. We'll be watching that very carefully, because first of all I want to know from the government, is the \$30 billion going to be split three ways? When it all comes out in the wash, I think you'll find that there will be \$30 billion over five years, but the municipalities will be asked to put in \$10 billion, the federal government will be asked to put in \$10 billion as part of the Canada infrastructure program, and the other \$10 billion will be paid for, of course, by the provincial government. The key thing is—

*Interjections.*

**Mr. Dunlop:** —and I hear the heckling continuing. All I'm saying is the government would lead you to believe that it's the provincial Liberal government that is

finding our tax dollars—30 billion of them—to spend in five years. I don't think that's the case whatsoever. I think you're going to find that it's \$10 billion of provincial dollars over five years and that's why I was asking earlier, and I fully expect not the Minister of Culture but the Minister of Infrastructure Renewal to come up with some clear understanding, and clearly indicate to this House where that money will come from and when it will be allocated in each of the following years.

One other thing I wanted to add, because I know we're moving along quickly here, was I wanted to draw some attention to an amendment that Mr. Tory wanted to make. I want to read this into the record, because I think it's important that John Tory, the leader of the Progressive Conservative Party, made a really good amendment that all members of this House should support.

Here's what I want to read in. Mr. Tory moved that the motion moved by the Minister of Finance on May 11, 2005—"that this House approves in general the budgetary policy of the government"—be amended by deleting the words after, "that this House" and adding thereto the following:

"Recognize that this budget is the latest in a series of ever-changing fiscal plans and that:

"The government has provided inadequate support to Ontario's hospitals, putting timely access to care in jeopardy;

"The government is failing Ontario's farmers by cutting funding by 23.1% this year, on top of the 20% budget cut last year;

"The government has laid out no specific plan for meeting Ontario's infrastructure needs and has not explicitly budgeted for those needs"—again, I go back to what I talked about earlier in my comments;

"Taxpayers will pay double the amount in health taxes this year, despite a promise by the Premier not to raise taxes at all;

"The government has done little to nothing specific to meaningfully attack waste and mismanagement in the government on a budget of \$80 billion; and

"These failures, these broken promises, these high taxes, high deficits, wasteful spending and burdensome regulations will harm Ontario's economy and create a climate which will discourage investment and jobs in Ontario.

"Therefore, this House has lost confidence in this government."

This will be our amendment to the motion. I would think that all members of this House would support Mr. Tory's amendment. He has made some very clear points here. I think it would be a prime opportunity for us as members of this Legislature to work together and support a good amendment to a poor budget. That's what this is really all about today, and I appreciate it.

*Interjections.*

**Mr. Dunlop:** We're trying to keep decorum in this House. Mr. Tory is trying to be very professional in this House and act like a business person, yet the heckling continues. They haven't caught on to how a real leader

actually operates. I thank Mr. Tory so much for bringing decorum into this House.

*Interjections.*

**The Deputy Speaker:** Order.

**Mr. Dunlop:** It is hard, on days like today, to actually get your point across, when people from all over the Liberal caucus are yelling and screaming at you all the time. It's disappointing. Wouldn't you think they'd treat this like a home? You wouldn't do this in a classroom; you wouldn't do it in a boardroom; you wouldn't do it in your living room. But the people in the province of Ontario are getting used to this happening in the Legislative Assembly. As Mr. Tory works toward being the Premier of this province, you will see more decorum and more political correctness in this Legislature.

As I said earlier, I can't support this motion, at least. I will be supporting John Tory's amendments. I would ask all members in this Legislature to support Mr. Tory's amendments, which we will be voting on tomorrow afternoon at 5:50. I look forward to seeing the Liberal caucus and all the government members here to support Mr. Tory as well.

**The Deputy Speaker:** Questions and comments?

**Ms. Martel:** I want to follow up on what the member from Simcoe North had to say with respect to agriculture. I'm going to quote from a different release that came out from the OFA, by Ron Bonnett. It says the following:

"Ontario farmers were left with more questions than answers about support for their industry when the 2005 provincial budget was presented. It contained little for agriculture, and it came at a time when the financial hurt continues to grow. Numerous times in the past year, OFA, its county federations of agriculture and many provincial commodity organizations took the unified message of agriculture and its devastating financial needs to the politicians that make up the Ontario Legislature. Agriculture's need for new provincial investment has been made abundantly clear....

"Agriculture is Ontario's second-largest industry, and ... Minister Sorbara, in his budget speech, acknowledged its \$8.6-billion contribution to the province's economic wealth. That's a lot of jobs for the non-farm community and a lot of rural economic development.

"How are farmers and their families expected to continue operating? Once the equity is used up and credit is no longer available to buy inputs for the farm, the whole economic structure that keeps rural Ontario alive begins to crumble. That crumbling sound eventually will reach urban Ontario, because farmers buy vehicles, furniture, and clothing just like the rest of society.

1740

"That's not all the bad news from the 2005 Ontario budget. Documents provided by the finance ministry reveal the operating budget for the Ministry of Agriculture and Food will take a cut of \$169 million this year. OMAF Minister Peters, in conversation following the budget presentation, said the real number will be an increased investment of \$15 million.

"Before much more can be said or done on that topic, we will have to work with OMAF officials to establish the real number—is it an increased investment of \$15 million or a cut of \$169 million?"

If you look at the documents, you do see it's a cut of \$169 million. I don't think there's much to work out. Farmers are getting hammered again.

**The Deputy Speaker:** Questions and comments? The member for London—Fanshawe.

**Mr. Khalil Ramal (London—Fanshawe):** Thank you, Mr. Speaker. I—

*Interjections.*

**The Deputy Speaker:** Order. Let's just have a little order. The member for Nickel Belt, the minister, let's listen to the member for London—Fanshawe.

**Mr. Ramal:** I lost some time, Mr. Speaker.

**The Deputy Speaker:** You'd better get at the time you have left, so keep going.

**Mr. Ramal:** Thank you, Mr. Speaker, because I have a lot of things to say about the great budget we had last week.

I hope the member from Simcoe North was not serious when he asked the members of this House not to support this great budget, because I believe that all people, from the south to the north, from the east to the west, were waiting for this positive, great budget. Wherever you went, people were talking about this positive budget. They felt that for the first time in a long, long time they have a government at Queen's Park working for them, planning for the future for them.

This budget also didn't forget about our seniors, who worked hard to build this beautiful nation, this beautiful province. That's why this budget gives them \$125 extra in initial tax credits to support them and will also allow, by 2007-08, 232,000 elderly to receive the support service.

It's a great budget. It's a great plan for the future, investing \$6.2 billion in colleges and universities, because as the parliamentary assistant for the finance minister, the member for Eglinton—Lawrence, was talking about, the world is changing. We have to meet that change; otherwise, we're going to miss out. If we don't have higher-educated people, if we don't invest in research, if we don't invest in our science and research, we are going to miss out, because we are competing with many different jurisdictions in this world investing in the same way. That's why, if we want to be progressive, if we want to be—

**The Deputy Speaker:** Thank you. Questions and comments?

**Mr. John O'Toole (Durham):** I'm pleased to respond to the member for Simcoe North. He raises a very important issue; really, fundamentally three issues that need to be raised.

On the government's own document—it's unusual. It's got the red here, which is kind of the branding colour for the party. That's all inside politics. But it does say here, you know, 23.1%. The minister is denying it; of course, he's been denying agriculture, in a broader sense,



since the very beginning. Ron Bonnett had it right. In fact, he's extremely disappointed: "It's a budget that ignores agriculture" symbolizes his response.

If I look at my riding of Durham—it's the second largest industry in Durham—I know that people are hurting from BSE and from corn and oilseeds. I think of Dave Frew and I think of Joe Hickson, people who have worked hard to arrange the rally here at Queen's Park, as well as Burt Werry. They must be extremely disappointed.

But more importantly, the seniors in my riding—I'm getting calls now. I had a budget breakfast, and I'm getting calls. One of the major neglects here—I had members of the Lakeridge board there, and Minister Smitherman should know this. Their traditional portion of the health care budget for hospitals was in the order of about 8%, and this year it's half of that. Last year, Lakeridge Health got about 1% of that in increased funding, with the cost drivers being wages and settlements. They've got a \$20-million-plus shortfall this year. There are no numbers here to address the shortfall in operating budget going forward. Even Hilary Short from the Ontario Hospital Association said that there are 4,000 front-line jobs. My heart is saddened for the seniors and for those persons who will be denied health care.

George Smitherman made a very crude remark to Elizabeth Witmer today. He must be frustrated himself, because there's no support for health care from this government that I see.

**Hon. Steve Peters (Minister of Agriculture and Food):** I'll pick up on the re-education of members who have sat in government for over 10 years.

If you look at the budget that was presented in 2004, the budget for the Ministry of Agriculture and Food was \$549 million. The budget that was presented this year is \$564 million, an increase of \$15 million in that budget.

There's also a commitment in this budget for an \$11-million capital investment within the Ministry of Agriculture. Capital is something that the previous government totally ignored and something that the NDP really ignored. I think it's important for farmers to understand that the NDP closed two agricultural colleges in this province. They closed Centralia, and they closed New Liskeard. The Tory government cut over \$100 million, cut core programs, from the Ministry of Agriculture and Food budget.

This budget that we have presented does not cut programs. If anything, it reinforces that, for example, we are reinvesting in the municipal outlet drainage program; putting in \$3 million for the creation of a chair for bio-agricultural research at the University of Guelph, and investing \$7 million in food safety in this province.

Again, if the honourable members could understand how to read the budget, they would look and realize that there was \$628 million in in-year spending; \$184 million added to the \$549 million gets you to that \$733-million figure—an additional \$444 million in support for farmers in this province.

I think it's important to understand as well that this government, last year, provided \$377 million in investment in support of the farmers in this province, including such things as over \$173 million for grains and oilseeds and well in excess of \$15 million for BSE—overall, with the federal share, \$889 million in support for Ontario farmers in this budget.

**The Deputy Speaker:** The member for Simcoe North has up to two minutes to respond.

**Mr. Dunlop:** I want to thank all the members in the House who made comments on my speech a few minutes ago.

I'm really glad the Minister of Agriculture stood up and clarified that for us, because it made me look to the budget. I think this is the one he's talking about. Let me tell you, in 2002-03—and I believe Ernie Eves was the Premier that year—in agriculture and food, the operating expense was \$598 million. This year, it's \$564 million. Regarding the capital expense that the Minister of Agriculture just mentioned, that same year, in 2002-03, the agriculture and food budget was \$68 million. This year, he brags about putting in \$11 million. I think I'm reading the same budget he's reading. He talks about all these cuts, but I'm talking about the comparison between 2002-03 and 2005-06. So I'm going to go along with the news release from the Ontario Federation of Agriculture. I think they got it right.

I know the farmers in my municipality don't really believe the Minister of Agriculture. They tend to agree with John Tory. They tend to agree with Howard Hampton. They tend to agree with the Ontario Federation of Agriculture, the people who speak on their behalf.

If the Minister of Agriculture is really thinking he's helping rural Ontario, he'd better have a second thought. These people want Helen Johns back. That's what I'm hearing. We hear it every day across this province. We hear that the farmers in Ontario want Helen Johns back.

*Interjections.*

**The Deputy Speaker:** Order. Let's all simmer down. I want some order in here or I'll just stand here till 6 o'clock. In fact, it feels good to stand up occasionally.

Further debate?

**Mr. Dunlop:** Can I finish up?

**The Deputy Speaker:** You were finished. Further debate?

**Ms. Martel:** It's a pleasure for me to start the budget debate, and I will have the privilege, I know, of continuing when we next deal with this. I know that Mr. Colle, for example, will come again tomorrow to hear what I have to say then, as now.

**1750**

I'm going to start with a piece from the Toronto Star, which usually is quick to defend the Liberal government. I've noticed that in the time I've been an MPP here, and that's been over 17 years now. But here's what they had to say on May 17, and I'm going to read the whole thing into the record, because I thought it was so good and I couldn't say it better myself:

"McGuinity Errs on Privatization

"Premier Dalton McGuinty is risking the last of his political credibility, is reviving memories of his earlier broken promises, and is possibly dooming his government to defeat in the next provincial election in 2007 with a new scheme to allow private" sector "companies to bankroll and build new roads, bridges, transit systems and schools.

"McGuinty put his government's future on the line when he let Public Infrastructure Minister David Caplan deliver the news in a speech Tuesday. Details of the scheme will be unveiled in today's budget. 'It's not a code phrase for privatizing public services,' Caplan insisted. 'It is a strategy for building more public infrastructures and, importantly, build it faster.'

"As Caplan explained, Ontario's roads, schools, hospitals and water pipes are old. We need to replace them and add to them to meet the needs of a growing population. But Caplan claimed the 'traditional' method of building these assets—by means of public ownership financed by public borrowing—no longer works because the Ontario government lacks the money.

"And so Caplan believes the province must find another way. One way he ruled out was to follow the lead of the former Conservative government and form public-private partnerships, so-called P3s, to provide the infrastructure Ontario needs. Instead, there is a 'third way,' he said, called alternative financing and procurement, or AFP. It involves finding private sector financial partners who can bring infrastructure capital and expertise to the table to supplement government resources.

"In fact, this scheme is public-private partnerships, by a new name, and all dressed up in the public interest.

"And what it is, too, is the latest McGuinty flip-flop.

"Before he goes down this path, McGuinty should realize his plan may actually backfire on taxpayers. There are two key reasons why governments can do a better job than the private sector at creating public infrastructure. First, governments can usually borrow money on better terms than private investors, who also expect to make a profit above and beyond what their capital earns. Second, when the government takes on a private sector partner, the narrow interests of that partner become as important as the broader public interest that the government purports to represent.

"Regardless of how you spell it, P3 or AFP, Ontarians will end up paying more than they have to for the infrastructure they need.

"Just as importantly, though, McGuinty is playing with political fire if he takes voters for fools. Broken promises are one thing. But continuing to run a government that flip-flops seemingly without stop is bad for the government, is bad for public policy, and ultimately is bad for Ontario.

"Since coming to power in 2003, McGuinty and his Liberals have broken dozens of election promises. To date, the three biggest have been the promise not to raise taxes, which was broken with the imposition of the health levy; the vow to hold the line on hydro rates; and the

promise to stop all construction on the Oak Ridges moraine.

"Now, after fighting hard against the privatization of Highway 407 and against P3 hospitals, McGuinty is welcoming private sector involvement in roles that have historically been the responsibility of the public sector. Such a move threatens to enrage traditional Liberal voters, who are already hard pressed to support a government that has lost the faith of many Ontarians. They could easily be asking themselves now if it is still possible to tell the McGuinty Liberals apart from the Conservatives."

This follows on the theme that was established by our leader, Howard Hampton, when he spoke earlier, because it is pretty hard to tell the difference these days between the McGuinty Liberals and the former Conservatives. It's especially hard to tell the difference on the private-public financing scheme: P3 under the Conservatives; AFP under the Liberals. The fact is that when the former Conservative government decided to use a P3 model of financing, both in Ottawa at the hospital there and in Brampton, oh my goodness, the McGuinty Liberals were hard pressed to contain their criticism of that funding scheme. They said repeatedly in this House and outside that it was going to cost the taxpayers more because of course it costs more for private sector consortiums to borrow money, more than the government can, in terms of lending its borrowing power, and the private sector isn't going to do this for free. They are interested in making a profit on their capital projects, and that cost is added into the overall cost of the project.

That's why it is going to cost more to build the hospital in Brampton than it would have been if the government financed itself through traditional borrowing. That's why it's going to cost more to build the hospital in Ottawa. That's why the McGuinty Liberals, before the election and during the election, said they weren't going to have any more P3 deals, because it did cost the taxpayers more. In fact, Dalton McGuinty said that to the Ottawa Citizen before the election. He said that his government was going to be committed to public administration of hospitals and public financing of hospitals.

Herein is the key: public financing of hospitals. I assumed, before the election, that that included the two hospitals the Conservatives were proposing to build with private sector financing. I assumed that if he was opposed to that with hospitals, my goodness, Dalton McGuinty would be opposed to private sector financing of schools and bridges and roads and sewer and water, and the list goes on and on. Here we are, after the election, 19 months into the mandate of the Liberals, and the P3 model, or the AFP model, is exactly the same.

Dalton McGuinty was right before the election. It is going to cost taxpayers more money. How is it, then, that after the election, after promising that he would not finance public assets and public infrastructure with the use of private financing, that in this budget, the centre-piece of this budget, we see a massive scheme to invite the private sector in to finance public assets? How much



more money do you think it's going to cost the public when the private sector is involved in these schemes? I say billions. It's going to cost us billions more than the traditional financing of the government going out and getting a bond and financing it in that manner.

The real problem is that the additional money that is going into the pockets of the private consortium is money that could be better spent for patient care or for operating grants for hospitals or for other public assets or for other public institutions. Those are taxpayers' dollars that are going to transfer directly into the pockets of those people who are involved in the private sector consortium, and that makes no sense. It doesn't make financial sense and it certainly doesn't make sense if you look at what Premier McGuinty had to say before the election about how much more this was going to cost and how the Liberal Party wasn't going to go down this road.

Here we are with the second budget before us, with a big scheme to allow the private sector right in there, right up front and centre, to be part of building important

public assets, and, at the end of the day, the people who are going to lose are going to be the taxpayers of the province of Ontario, who are going to see much more money go into those projects than if the government funded it themselves, and see much more money that could have gone into other public assets and into operating funds for schools and hospitals go right into the profit line of those institutions. I am opposed to that scheme. That makes no sense. I don't know why Dalton McGuinty is continuing down this road, when, before the election, he had something so different to say.

Speaker, on that note, because I see you looking at your watch, I will ask for adjournment of the debate, and I will continue this on another day.

**The Deputy Speaker:** I don't think you are officially asking for adjournment of the debate, but I will say that it is 6 of the clock. This House will stand adjourned until 6:45 of the clock.

*The House adjourned at 1759.*

*Evening meeting reported in volume B.*

# CONTENTS

Monday 16 May 2005

## MEMBERS' STATEMENTS

<b>Health premiums</b>	
Mr. Barrett .....	7051
<b>Stratford Festival</b>	
Mr. Wilkinson .....	7051
<b>Ontario budget</b>	
Mrs. Munro .....	7051
Mr. Klees .....	7052
<b>Pension funds</b>	
Ms. Horwath .....	7051
<b>Health care</b>	
Mr. Delaney .....	7052
Mr. Duguid .....	7053
<b>Research and development</b>	
Ms. Marsales .....	7052
<b>Nurses</b>	
Ms. Broten .....	7053

## FIRST READINGS

<b>Missing Persons Reporting Act, 2005,</b>	
Bill 198, <i>Mr. Racco</i>	
Agreed to .....	7053
Mr. Racco .....	7053
<b>Rural Ontario Day Act, 2005,</b>	
Bill 199, <i>Mrs. Mitchell</i>	
Agreed to .....	7054
Mrs. Mitchell .....	7054

## MOTIONS

<b>House sittings</b>	
Mr. Duncan .....	7054
Agreed to .....	7054

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Access to health care</b>	
Mr. Smitherman .....	7054
Mrs. Witmer .....	7055
Mr. Hampton .....	7056

## THIRD READINGS

<b>Sabrina's Law, 2005, Bill 3,</b>	
<i>Mr. Levac</i>	
Agreed to .....	7057
Mr. Levac .....	7057

## ORAL QUESTIONS

<b>Taxation</b>	
Mr. Flaherty .....	7057
Mr. Smitherman .....	7057
Mr. Sorbara .....	7058

## Health care

Mrs. Witmer .....	7058, 7065
Mr. Smitherman .....	7058, 7065

## Infrastructure program funding

Mr. Hampton .....	7059
Mr. Caplan .....	7059

## Native land claims

Mr. Hampton .....	7060
Mr. Bryant .....	7060

## Highway 69

Mr. Miller .....	7061
Mr. Bartolucci .....	7061

## Children's services

Mr. Kormos .....	7062
Mr. Smitherman .....	7062

## Affordable housing

Mrs. Sandals .....	7062
Mr. Caplan .....	7063

## Transportation infrastructure

Mr. Wilson .....	7063
Mr. Takhar .....	7063

## Justice system

Mr. Kormos .....	7064
Mr. Bryant .....	7064

## Access to health care

Mr. McMeekin .....	7064
Mr. Smitherman .....	7064
Mrs. Chambers .....	7065

## Aerospace industry

Ms. Horwath .....	7065
Mr. Cordiano .....	7065

## Agriculture funding

Mrs. Van Bommel .....	7066
Mr. Peters .....	7066

## PETITIONS

### Halton Recycling plant

Mrs. Munro .....	7066
------------------	------

### Northern economy

Mr. Hampton .....	7067
-------------------	------

### Class size

Ms. Wynne .....	7067
-----------------	------

### Regional centres for the developmentally disabled

Mr. Dunlop .....	7067, 7069
------------------	------------

### Credit Valley Hospital

Mr. Leal .....	7067
Mr. Kular .....	7068
Mr. Delaney .....	7068

### School facilities

Mr. O'Toole .....	7068
-------------------	------

### Taxation

Mr. Wilson .....	7068
------------------	------

### Post-secondary education

Ms. Martel .....	7069
------------------	------

## GOVERNMENT MOTIONS

<b>2005 Ontario budget, government</b>	
notice of motion number 364,	
<i>Mr. Sorbara</i>	
Mr. Hampton .....	7069
Mr. Colle .....	7077, 7081
Mr. Dunlop .....	7080, 7081, 7085
Ms. Martel .....	7080, 7084, 7085
Mrs. Sandals .....	7080
Mrs. Munro .....	7080
Mr. Ramal .....	7084
Mr. O'Toole .....	7084
Mr. Peters .....	7085
Debate deemed adjourned .....	7087

## TABLE DES MATIÈRES

Lundi 16 mai 2005

## PREMIÈRE LECTURE

<b>Loi de 2005 sur le signalement</b>	
<b>des personnes disparues,</b>	
projet de loi 198, <i>M. Racco</i>	
Adoptée .....	7053
<b>Loi de 2005 sur le Jour de l'Ontario</b>	
<b>rural,</b> projet de loi 199,	
<i>M<sup>me</sup> Mitchell</i>	
Adoptée .....	7054

## DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

### Accès aux soins de santé

M. Smitherman .....	7054
M <sup>me</sup> Witmer .....	7055
M. Hampton .....	7056

## TROISIÈME LECTURE

<b>Loi Sabrina de 2005,</b>	
projet de loi 3, <i>M. Levac</i>	
Adoptée .....	7057





No. 146B

N° 146B

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 16 May 2005**

**Lundi 16 mai 2005**



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 16 May 2005

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 16 mai 2005

*The House met at 1845.*

## ORDERS OF THE DAY

### EDUCATION AMENDMENT ACT, 2005

### LOI DE 2005 MODIFIANT LA LOI SUR L'ÉDUCATION

Resuming the debate adjourned on May 10, 2005, for second reading of Bill 194, An Act to amend the Education Act.

**The Acting Speaker (Mr. Michael Prue):** As I remember, on the last date, I was in my chair and had just finished making a speech. Since I am not there, I would think that there will be no questions and comments. Therefore, further debate?

The member from Trinity–Spadina.

**Mr. Rosario Marchese (Trinity–Spadina):** I was reminded by the minister from Elgin–Middlesex–London to welcome the citizens who are watching this parliamentary channel. We're on live. It's a quarter to seven. It's always a pleasure to get up in this Legislature to speak on bills, and it is no different in terms of the pleasure I have in being able to speak to this particular bill, Bill 194, An Act to amend the Education Act.

There are a number of things that are contained in this bill that some members, like the member from Beaches–East York, raised concerns about, very legitimate concerns that need to be addressed, particularly by the government.

**Hon. James J. Bradley (Minister of Tourism and Recreation):** I heard you were speaking, so I came in to listen.

**Mr. Marchese:** The Minister of Tourism, of course, is very keenly interested, and that's why he joined us. By the way, even if the Minister of Tourism isn't in the assembly, he is always in this place. I know that. Even when he is not sitting here—and that's rare—he is sitting in his office, watching us, all of the time. God bless.

**Hon. Mr. Bradley:** You're very popular in my riding.

**Mr. Marchese:** I appreciate that. And that's why you came, so that you could report in person on the things that I have to say with respect to anything, particularly around this particular bill.

**Mr. Jeff Leal (Peterborough):** He's got the pulse of the people.

**Mr. Marchese:** I want to express the pulse of the people to the extent that I can.

This bill, what does it do? Under the existing Education Act, children who are awaiting landed immigrant status can be charged foreign student fees by school boards. We have seen that happen in Hamilton and Windsor. The costs can be extraordinary for individuals, young people and children. Some boards require them to pay and some boards absorb the cost.

Where the boards absorb the cost, they do so at their expense, meaning that they've got to find money from one source or another to be able to fund the education of these particular children—admirable. But I will remind the various members listening to this debate that when we do that, money has to be taken out somewhere else.

**Mrs. Carol Mitchell (Huron–Bruce):** Yes, we're hanging on your every word.

**Mr. Lou Rinaldi (Northumberland):** Not necessarily, no. I wouldn't agree with you there.

**Mr. Marchese:** I will repeat for him, because he was talking to another colleague, whose birthday lands on my birthday as well. It's fascinating.

**Mr. Rinaldi:** And it's my anniversary today.

**Mr. Marchese:** God bless you. Joe, let me tell you—

**Mr. Rinaldi:** It's Lou.

**Mr. Marchese:** Lou—which riding?

**Mr. Rinaldi:** Northumberland.

**Mr. Marchese:** The member from Northumberland explains that it is his anniversary tonight. We wish him well.

And my colleague Carol Mitchell from Huron–Bruce—May 10, the same birthday. Can you believe that?

**Mrs. Mitchell:** Twins.

**Mr. Marchese:** It could happen to anybody. New Democrat here, Liberal there, just across the way. There isn't much difference. It could happen to anybody.

As I was saying to my friend Lou, some boards pick up the costs for those students who are not legally accepted here for whatever reason. There is a whole number of reasons.

1850

**Mr. Rinaldi:** They do a good job.

**Mr. Marchese:** That's not the point. The issue is not whether they do a good or a bad job at the moment. At the moment I'm saying that when school boards take on these children, they are paying in one way or the other. You will agree with that.

**Interjection:** I agree.

**Mr. Marchese:** That's the point I was making earlier, when you said that that wasn't true. I just wanted to

correct that for the record. If they do that, how does the ministry pay them back? In the past, obviously, ministries, this minister and previous governments, didn't pay for that. That is a cost we need to worry about.

I'm sure the Minister of Education is worried about this all the time, and that's why prior to this election, in pre-election campaigning, he and the Premier of this province promised to have a standing committee on education finance. Do you recall that, Lou? That's what he said. Two years into the mandate, we do not have a standing committee on education finance. That surprises me a little bit from the Minister of Education, who loves transparency, loves accountability. All the Liberal members, of course, talk about transparency and accountability. Yet two years later, we have no standing committee on education finance.

I'm sure the member from Sault Ste. Marie is looking forward to that education finance committee because, as a teacher, he is obviously keen on getting to the heart of the matter, knowing what the numbers are, how the money is being spent. He wants transparency and accountability, and so does the Premier.

**Mr. Rinaldi:** And stability.

**Mr. Marchese:** And peace and stability.

He anxiously waits, as do I. As a critic for elementary, secondary and post-secondary education, I can't understand why the Minister of Education simply has not gotten around to the idea of convincing the Premier that we need a standing committee on education finance. When will it come? When will that promise be delivered? When are we going to have a curriculum, a council that's going to review some of the errors of the previous government? We know that while some curriculum changes were good, there were a whole lot of problems because it caused, as the former critic who now is minister used to say, it created, a lot of curriculum casualties. We had a whole lot of curriculum casualties at the secondary level and they persist to this day. The dropout rate for this group of people is phenomenal. Students who study at what used to be the basic level, general level, now applied, are falling through the cracks. In spite of what the Minister of Education is saying, students are in trouble. These are the ones who are vulnerable, these are the same students who were curriculum casualties under a regime when the Tories were there, when you were critics, and they are still curriculum casualties while you are in government.

Nothing has changed two years later. How long can kids wait? I remember the Minister of Education saying, "Kids can't wait." If kids couldn't wait two years ago, can they wait today for that long, to get the systemic changes they need so they can have the opportunities they need?

Every change we make costs money. This bill will cost money. I happen to think that students, no matter their status in this country, are victims in one form or another and they ought not to be further victimized by an educational system that either shuts them out or tells them that they have to pay fees they cannot afford. I

understand that. We cannot and should not victimize children. They ought to have educational opportunities. Yes, it costs money. The question I have, and the question the member from Beaches-East York had, is, where is this money coming from, and is it coming? You see, we haven't seen it in special education.

I have attacked the Minister of Education relentlessly in this place, in all of the speeches I make around issues of education, because here is the same minister, saying, "We care about special ed. We care about those vulnerable students who are in the system, who desperately need special education," those 43,000 students waiting for an IPRC, meaning the identification, placement and review committee, that assesses a problem a child might have and then delivers a program so that the problem the child has can be remedied.

When this government and this minister were in opposition, they said, "My God, 43,000 vulnerable students are waiting in line. They shouldn't have to wait. Just wait for a Liberal government and that list will disappear." I'll tell you, that list has not disappeared. The minister never speaks about it. That's perhaps why in his mind the list might have disappeared. But 43,000 students, that number, waiting for special-ed services are still waiting. I am saying that that list is no longer 43,000, it's bigger, and I'll tell you why.

Last July, when the school year was over, the Minister of Education announced \$100 million for special ed. Remember, school boards were waiting for 10 months for special education dollars and they got nothing for that year. The Minister of Education announced, at the end of the school year, \$100 million. In August, he announced that he was taking away \$100 million from the school boards that he claims were reserves that were not being spent, reserves for special education purposes that were not being spent.

I said these boards put money aside to spend in the September past because they couldn't quite trust a Liberal government that had not delivered on the money for special education. They couldn't trust them, that the money would come some day, so they put some money aside. The minister came along 10 months later, at the end of the school year, and announced the money that never flowed for the previous year and never flowed for this year either—because \$100 million was given in July and \$100 million was taken away, clawed back, in August. So for two years special education kids had no money, the most vulnerable kids in the system, kids who have some psychological or physiological problem, a disability of one form or another, physical or mental, needing services, and not one cent last year and not one cent this year flowed for special ed—this from a government that claims to have a big, big heart for education, this from a minister who claims to have a bigger heart for education, this from a government that can make these claims and then play chess or checkers with numbers.

The Minister of Education said, "We are going to make \$50 million available," of that \$100 million they clawed back, that they stole. "We're going to make \$50



million available," and they have to reapply for the money they should have legitimately gotten from all of the scrutiny and processes they have to do to be eligible for the special-ed money. He said they had to reapply for that money, and only \$50 million is available.

Minister of Tourism, not one cent has been made available. There is no application process, and not one nickel of that \$100 million that was stolen, taken away, clawed back, has been given back—not a nickel. But the Liberals will stand up in the House and say, "Oh, God, millions of dollars have flowed to the educational system on a daily basis." That's why we need a standing committee on education finance. I plead with the minister to keep that promise. Two years into the mandate, let's have the standing committee so we can debate, discuss, explore and dig the numbers out from the minister's closet, so we know exactly what's happening on education finance. We need that committee. I know the member from Sault Ste. Marie is waiting patiently for that committee. I know he's lobbying him on a regular basis for that committee, because he wants to be on it, as a former teacher, and so do I.

**1900**

Let's talk about the transportation fund. We waited so anxiously for a new transportation fund and we didn't get one last year. What we got from the government was not a funding formula but a draft, which he called—I'll get the name for the good citizens watching—the Equitable Allocation Through a New Funding Model for Student Transportation in Ontario. This is how clever the Liberals are. They gave a 2% increase to all boards: Catholic, public, French. Every board got a 2% increase. So every time a Tory or a New Democrat would ask a question, they would smugly say, "Oh, no, all boards got a 2% increase." They could smugly sit down at the end of that answer and pretend there was no problem with that statement.

Here's the problemo with that statement: Over 40 boards are getting more money and 31 boards are getting less money. Some 40 boards or so are getting more money, beyond the 2% increase this year, and come September, they will get the next instalment. Remember, this minister said that this is a draft. For all these busy Liberals reading their e-mails on their BlackBerries, the minister said that this is a draft. If this were a draft, Minister of Tourism, why would the minister give an allocation to 40 boards or more this year and the balance this coming September? It cannot be a draft and it cannot be equitable.

I remind you that when the Liberals use language such as "Equitable Allocation Through a New Funding Model for Student Transportation," it is reminiscent of what the Tories used to do. The Tories used to do that on every bill, and the Liberals are following suit in the same way.

*Interjection.*

**Mr. Marchese:** Don't provoke me. You guys are supposed to be quiet so we can get out of here quick. Read your e-mails on your BlackBerry and read your papers. Your House leader rep is saying to you, "Please

sit down and be quiet so we can get out quick." Right, David Levac? Exactly. But I'm going to keep you active in this place for as long as I can.

The Tories used to have these unique ways of naming bills that belied the content of the bill. The Liberals, not to be outdone, are imitating the model, and they're imitating it so perfectly that they're indistinguishable. God bless them. They don't mind being indistinguishable from the Tories from time to time.

**Mr. Leal:** Oh, no.

**Mr. Marchese:** Oh, yes. You don't mind.

**Mr. Garfield Dunlop (Simcoe North):** Tory wannabes.

**Mr. Marchese:** Tories in a hurry sometimes, and New Democrats in a hurry at other times. They can dance that song both ways. They have no problem twisting both ways: NDP in a hurry, Tory in a hurry. "Whatever we've got to do, we do it," and God bless Paul Martin, he's doing it now. Paul Martin, that wonderful fiscal conservative, has become a social—

*Interjection.*

**Mr. Marchese:** A socialist, he's trying to say—a socially-minded person. It's hard to say "socialist." He can't do it. But he's one of the most fiscally conservative guys I have ever known up there at Parliament.

**Mr. Leal:** Who?

**Mr. Marchese:** Your friend Paul Martin. Your friend, buddy, leader of your federal Liberal Party. This is the guy who's got a few bucks; no problem with that. Anybody can be rich and be a Prime Minister, no problemo. He's got about 250 million bucks from his steamship lines. God bless him. Not a problem. Berlusconi is the president of Italy and he's got \$17 billion. No problemo.

The beauty about working people is that they think if you're rich, you won't steal. They think if you're rich, you cannot be influenced by anyone, if you know what I mean. It's beautiful to see that. Working people ought to know better. Are you saying Berlusconi is uninfluencable by corruption? It makes you laugh. I heard it when I was there, many years ago. I'm not saying there is anything wrong with being wealthy; that's not a problem. Paul Martin is a wealthy man, a fiscally conservative guy all of a sudden in trouble here in Canada, and he has turned into—dare I say it?—a socialist type. I know it's hard to get the words out of your mouth, and Liberals cringe when they hear that, but when you see that money flowing for all those social programs—the fiscal conservatives in the Liberal Party are saying: "Paul, please, get a hold of yourself, get a grip. You've got to worry about the Tories. Don't worry about New Democrats; you've got to worry about the Tories." So it's beautiful to have Jack Layton up there saying to Paul: "Paul, we've got to work on this. We've got to pass that budget because there are so many good things we have to do. You and me, Paul, we socialist types have got to work together," and Paul said OK. Paul has no problem doing that. It's beautiful to see.

Anyway, back to Ontario. On this transportation funding, this is the Equitable Allocation Through a New

Funding Model for Student Transportation. The Tories must love this. They're saying, "Man, oh man, the Liberals are really good." But what I say is, there's a Tory imprint in this whole thing. We are still using a Conservative funding formula model. McGuinty is using it and Gerard Kennedy, the Minister of Education, is using it. It's the same Conservative funding formula, David Levac, used in 1997 by the Tories, and you haven't changed it. It doesn't matter what you say as a former teacher, it doesn't matter what Kennedy says, what any of these guys say, it's the same formula. Are you with me, Minister of Tourism?

**Hon. Mr. Bradley:** I'm just worried about the social contract.

**Mr. Marchese:** Are you worried about that? You shouldn't worry about the social contract. That was so long ago. You know what I say to you? Maybe you'll learn from that. But I don't see you learning. Jim, the Minister of Tourism said, "Oh, social contract." He always says that. He's got these books, he shows them, but now it's getting more difficult because the Speaker is getting a bit upset at him for doing that. You remember; we attack a promise the Liberals made, and the Minister of Tourism and others say, "Ah, social contract." I say, why don't you learn from our mistakes? If indeed you disagree, why did you make so many promises before the election that you knew you couldn't keep? Why would you do that? If you learned from our mistakes, Jim, why wouldn't you say, "New Democrats committed that error and got into deep doo-doo; we can't let that happen to us"? Why would you just jump into the same mess, dung? Why would you do that and hurt yourself in the process? All those promises you made, surely you would learn—or are you capable of learning? I just don't think you are. You made so many billions of dollars of promises that you knew you couldn't keep.

They were supposed to bring a new transportation funding formula; not a reallocation, moving dollars around, but a new formula. What they did was steal from 31 boards to give to the other boards, and then they call that fair. How can you be whacking 31 boards and call that fair? You think the 31 boards out there are happy to say, "Yeah, whack me some more"? Thirty-one boards are getting whacked by this government, by Premier McGuinty and Minister Kennedy, and the members of the Liberal Party in this room, and others, reading and not reading, say it's fair. I don't think it's fair.

What about small schools? We need money for small schools. This bill will have some consequences. It costs pecunia. Small schools—

1910

**Hon. Mr. Bradley:** Dave Cooke's looking after that.

**Mr. Marchese:** No, Dave Cooke isn't looking at whether or not small schools should close. He is looking at whether or not boards have followed due process, and if they have not followed due process in Thunder Bay, where I was at—Fourway school is one example—the board could do so again. The board could simply start the process again, and that school could close. Dave Cooke is

not there to say, "This school will close," or not. That's not his job. He's getting paid good bucks not to do that, but to simply determine whether boards are following due process, i.e., based on whatever guidelines they think the minister has and/or will put out there in the next little while, because we don't have guidelines yet.

Small schools will close. In spite of all the research done by People for Education, something this minister claimed to respect when he was in opposition, research he supported when he was in opposition—a group, People for Education, that he respects and supports—then. Now where is he on the issue of small schools? He put a moratorium so schools would not be closed, but did not give the money, did not give the pecunia for school boards to keep those schools open. Without the pecunia, i.e., money, small schools inevitably have to close, and they are closing.

Let me give you some statistics, because People for Education have put together some interesting stuff.

**Hon. Mr. Bradley:** One hundred and fifty-nine schools closed under the NDP. You were in cabinet.

**Mr. Marchese:** Let me understand this, Minister of Tourism. Are you saying that small schools closed under the NDP, and small schools closed under the Tories, and small schools will close under the Liberals because that's just the way it is, even though you said in opposition that you would not let that happen?

**Hon. Mr. Bradley:** One hundred and fifty-nine schools closed under the NDP.

**Mr. Marchese:** I know. I'm trying to create an argument, though. Follow the argument.

NDP closed small schools, Tories closed small schools, and Liberals will inevitably close small schools, even though when you were in opposition and in your pre-election campaign you claimed small schools would not close?

**Hon. Mr. Bradley:** According to the existing funding formula.

**Mr. Marchese:** According to the existing Conservative funding formula, you keep on closing small schools. Why haven't you changed that? Why haven't you changed the funding formula?

**Hon. Mr. Bradley:** I trust Dave Cooke.

**Mr. Marchese:** Dave Cooke won't be unhappy to get a few bucks so that he can advise you on the issue of small schools—no problema. He will be happy to help you.

**Hon. Mr. Bradley:** You saw what Bob Rae did.

**Mr. Marchese:** Yes. I'm looking forward to seeing what else you're going to do in the next year or two in that report, because I wager to tell you that tuition fees are going to skyrocket next year.

**Interjection:** Frozen.

**Mr. Leal:** Frozen in 2006.

**Mr. Marchese:** No, no. This September, you promised to freeze them—no problema. I agree. The following year, tuition fees are going to go up.

**Mr. Dave Levac (Brant):** You said "tremendously."



**Mr. Marchese:** They will, tremendously. My friend from Brant, I guarantee you this: After this September, where you promise to freeze them, God bless you, tuition fees are going to skyrocket the year after.

Mr. Rae and his group said that tuition fees should go up. I don't agree with him on that. I know you do. I don't. We think students are paying high tuition fees at the moment. You know how much they're paying at the moment? It might surprise those of you who don't know. Students are paying 44% of their education through tuition fees. That's a whole lot, Dave. Don't you think that's a lot—44%?

Mr. Rae and his group said, "Tuition fees should go up." Mr. McGuinty agreed with him, and he said, "Yes, they will." The question is, how much?

*Interjection.*

**Mr. Marchese:** No. I'll rephrase it. He said, "All tuition fees will go up." The question is, by how much? What it means is that they will go up.

**Hon. Mr. Bradley:** How much under the NDP—52%.

**Mr. Marchese:** Let me tell you what there was when I was there. In 1990, 1991 and 1992, students were paying about 1,800 bucks. Today, my daughter and my son, and my other daughter who just left university a year and a half ago, are paying \$5,000 each. They're paying \$5,000 each.

All I am questioning with you, fine Liberals, whom I like from time to time and sometimes respect, is that 44% of their education is paid through tuition fees. Do you think it's a lot: yes, no? Dave agrees with me that it's a lot. I'm telling you, tuition fees are going to shoot through the roof and McGuinty is going to make that happen. How is he going to do that? McGuinty is going to say to the universities, "You can deregulate your programs in whatever manner you deem fit," and then McGuinty will say, "We didn't raise tuition fees. It was the universities and colleges."

**Mr. Levac:** Are we on for breakfast or not?

**Mr. Marchese:** In the event that tuition fees go up?

**The Acting Speaker:** There cannot be wagering in this House, please. There will be no wagering taking place in this House.

The member from Trinity-Spadina has the floor. I would remind you to direct the comments through the Chair and not get involved in debates.

**Mr. Marchese:** I appreciate your role, Speaker. I've got to tell you that there's never an exchange of money. It's for coffee or cappuccino, and the member from Brant even said breakfast. That's hardly wagering; that's hardly like putting out 10,000 bucks for a dinner, right, or 2,000 bucks for a dinner. A cappuccino is hardly a big deal, right? Dave from Brant and I are on for a cappuccino.

I assume that you're claiming tuition fees will not go up in 2007.

**Hon. Mr. Bradley:** Not hugely.

**Mr. Marchese:** "Not hugely." That's beautiful.

**Interjection:** Tremendous.

**Mr. Marchese:** So it will be a definition of "tremendous," and how "tremendous" will be defined. Is 500

bucks or 200 bucks tremendous? That's beautiful, Dave. I've got to tell you, he can't lose because "tremendous" can be, what: two bucks, 10 bucks, 200, 2,000?

**Mr. Levac:** I stepped back. The Speaker ruled.

**Mr. Marchese:** Yes, but you and I were not betting for anything except cappuccino or breakfast, and you're on, by the way. You're on.

I want to let the good citizens of Ontario know that the member for Brant and I are on. Tuition fees will go up, and the Liberals are agreeing with me that they will.

**Hon. Mr. Bradley:** Just because Bob Rae recommended it, that doesn't mean it's happening.

**Mr. Marchese:** You've got to love the Liberals, right? They always appoint a couple of New Democrats. It's beautiful. They appoint a couple of New Democrats so as to, let us say, disarm, if they could, defang, New Democrats. They think they're so clever. They actually think they're clever in doing that.

**Mr. John O'Toole (Durham):** Don't be so hard on yourself.

**Mr. Marchese:** I've got no problem disagreeing with one of our former members when they produce a report that we don't agree with 100%. I agree with the commission that was commissioned to do this report when they say \$1.3 billion has to be spent in order to get to the national average. We don't have \$1.3 billion. They're going to be spending \$578 million and they boast about that big amount. But I've got to tell you that for a system that's been starved and underfunded for so long, if you put in \$578 million, you can hardly say, "Oh, we're going to fix all the problems in the world and, by the way, in the next five years we're going to fix it." By then you'll be going through a second election, not even the first.

So this multi-year funding Liberal approach is just beautiful. I see it through Paul Martin. They announce money for 10 years and they say, "In the next 10 years we will give so-and-so." By that time, people will be dead. Nobody will even remember what Martin said by way of a promise. It's a new Liberal strategy. You promise multi-year funding, and if you get re-elected, you can then say, "Given the circumstances, we don't have much money, so we have to adjust the 10-year funding to maybe 20-year funding," and so on. You get my point, right? Mr. Gravelle, you get my point, right?

1920

The Liberals have invented this new funding mechanism of long-term, multi-year funding. The people are supposed to say, "Oh, my God, the post-secondary education system is getting six billion bucks." Right? That's the Liberal message. All they're getting is what I know: It's \$578 million this year. What they're going to give next year, I don't have a clue. Nor should the good citizens of Ontario trust that the Liberals, given their track record, are going to come through on this next year or after the election. And after the election, we could have the Tories again and things could change all over again. What matters to me is what you put in now. I'll be

waiting anxiously to see what you put in next year, because I don't think you're going to give much.

What have you done? You whacked 15 ministries with less money, so we don't have all the ministries moving up by way of services. We have a couple of ministries getting a few bucks at the expense of many other ministries.

**Mrs. Julia Munro (York North):** At the end of their term.

**Mr. Marchese:** And it starts now; the freeze starts now. The Ministry of Culture is getting a 6% cut, for example—the Minister of Culture, a 6% cut. To be unfriendly to the few Tories who are here—and I like them; they cut the funding for the Ontario Arts Council from \$44 million to \$27 million. They whacked the Ontario Arts Council. Understand that for eight years—

**Mrs. Munro:** Rosario, it went up.

**Mr. Marchese:** Non, Madame, s'il te plaît. They went from \$44 million when I was there in 1990-91 to \$27 million when you left. Now the Liberals are saying they've got to sustain a 6% cut? They're going to get whacked.

The Ministry of Agriculture gets a 23% whacking. I've got to tell you, when farmers come to Queen's Park, it should tell you there's a problemo, and a big one. Farmers don't come to Queen's Park unless there's a problem, and when they come, it should make you tremble a little bit. I'm surprised: The Liberals who want to support their seats have given a 23% cut to agriculture.

**Mr. Michael Gravelle (Thunder Bay—Superior North):** No, they haven't.

**Mr. Marchese:** It doesn't matter what I say; it's what they say and what they think and what they believe is going to happen to them based on the chart, based on page 19. I don't have it with me and I apologize, but page 19 clearly states there's a 23% cut. It's not what I said; it's what the Liberals said. The Liberals will define it and redefine it in whatever way they want, but they're getting a shacking, a whacking.

Many other ministries are going to get whacked. Municipal affairs still exists, in a very feeble form. They're all getting cuts. Aboriginal financing, I believe, is getting another cut. I forget whether it's 6% or—I wish I had the list. If somebody has that list, they could share it with me. Sorry. I think it's page 19. Is it page 19 there, Julia?

**Mrs. Munro:** Carry on.

**Mr. Marchese:** So 15 ministries are getting flat-lined—meaning no growth, zero increases—and some ministries are getting reductions. How can you defend that? How can you do that? How can you defend the fact that we have a clawback? We have money coming from child benefits for a whole lot of poor people in this province, and you're clawing back 97% of that federal money that should be going to poor families. How can you defend that? Of the 100% of the money that comes from the federal government, all you are giving is 3%, and this year there's a freeze. The poorest of the poorest people—Liberals with a heart, is that what it means, that

you whack even the most vulnerable in the way that you did in spite of the promises you made when you were in opposition and prior to the election that they would face increases as a way of dealing with the cutbacks sustained under the Tories? How can Liberals with a heart do that?

So a couple of ministries are getting some money, and 15 ministries are going to get cuts. Do you think that's fair? When your services are not available, you'll know why, because this government has deemed that many of you are undeserving. This government says, "There is no more money. Sorry, we are unwilling to tax the very wealthy, unwilling to tax those very individuals who strongly benefited from the income tax cuts instituted by the Tories, unwilling to touch that," thus living with a Conservative formula, an economic Conservative formula that is no different.

And they say it's OK. "No new taxes," they say. They say that with pride, with great élan: "We're not going to raise any taxes." I just think the people who've got money should give some money back so that we can redistribute the money that was given to them oh, yes, so very easily by the Tories. We'd take some of it back. Liberals refuse to do that.

Who has to pay the penalty for that? People who should be getting their family benefit, the child benefit from the federal government. It should flow to these families. The Liberals say, "Sorry. Too bad, so sad." Two hundred and thirty million dollars that should be going to these families who are in such desperate need is not going because they need it to give away where they believe it's important to give away.

Fifteen ministries flatlined or getting reductions. Don't be surprised, good citizens, when you go and find that some service is lost, disappeared, not available. Oh, and by the way, you've got to wait in line just a little longer than you did under the Tories. "That's OK. We don't have the money. You have to be tough." You have no problem being tough against individuals who get Ontario disability pay. You have no problem being tough on them. A 3% increase; and that's OK. How can you think that's OK?

Perhaps I am carrying on a bit too long; I don't know.

This bill is going to cost a few bucks; the member from Beaches—East York said so. His worry, a legitimate one, is that if it's going to cost money, where is this money coming from and is it going to be taken away from something else or someone else? We're talking about children here. All children ought to have the educational opportunities they deserve. We shouldn't punish children. But if it costs some money—and it will—where is the money going to come from?

If we are operating under a Conservative funding formula, it means we are not giving enough money to our educational system. It means we still don't have guidance counsellors, which have been drastically cut, in our high school system. It means we still don't have caretakers in our high schools and elementary systems. I urge Mr. Kennedy—because he talks so beautifully about, "Please go to your local school and check things out"—I urge the Minister of Education to go to our high schools and



check out how many caretakers we have left in our system. Because under the Tories, half of them disappeared in each and every high school across Ontario. Half of the principals—so if you had seven in one school, you now have three or three and a half.

We are missing music teachers—laid off by the Conservative government. They are still not available in our educational system.

We still don't have gym teachers, expert types of people whom we need in our system to be able to deal with the very issues you talk about. If we have obesity in our school system, how are we dealing with it? Where are our gym teachers and do we have enough of them? We don't. We're still suffering from the lack of having expert teachers like that.

Educational assistants: hundreds of them fired across Ontario. And we're still laying people off, when we know we need those human eyes and people and faces in our school system, as opposed to cameras, to deal with the issues of safety. We still have not replaced the people we have lost under the Tories.

We need money—not less money. This bill, yes, has a cost, and I don't believe the government is putting the money in that was recommended by Rozanski, that has been confirmed by the numbers from Hugh Mackenzie, an economist who said that Rozanski and his recommendations have still not been met and are not likely to be met. We are still underfunding the system to the tune of close to \$1 billion. Unless we bring that money back, some problems will have been fixed by this minister and this government but many will still linger.

We support this bill. It's the right thing to do. Children need to have the services, and this bill will provide the services equally across Ontario so that no one child will suffer from not being able to pay the fee to get into a school. This is a good thing, but we warn the government that unless we have adequate dollars, dollars that were promised by this government when they were in opposition, inequity will still exist, curriculum casualties will still exist and people will continue to have the literacy problems that many Canadians suffer from, in this country and in this province.

**The Acting Speaker:** Questions and comments? Further debate? Seeing none, and the minister who moved the bill not being here, we will proceed to the vote.

**Mr. Bruce Crozier (Essex):** Do you need my glasses?

**The Acting Speaker:** Yes, I need my glasses.

Ms. Wynne has moved second reading of Bill 194, An Act to amend the Education Act. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

**Hon. Steve Peters (Minister of Agriculture and Food):** Speaker, I move adjournment of the House.

**The Acting Speaker:** A motion for adjournment. All those in agreement? Carried.

This House stands adjourned until 1:30 p.m. tomorrow.

*The House adjourned at 1933.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiques et de l'Immigration
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative		Marsales, Judy (L)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Hamilton West / Hamilton-Ouest	
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of the Environment / ministre de l'Environnement
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Huron-Bruce	Mitchell, Carol (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brant	Levac, Dave (L)		<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston and the Islands / Kingston et les îles	Milloy, John (L)
Burlington	Jackson, Cameron (PC)		Witmer, Elizabeth (PC)
Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / Kitchener-Centre	Van Bommel, Maria (L)
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener-Waterloo	Sterling, Norman W. (PC)
Davenport	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Runciman, Robert W. (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	Lanark-Carleton	Matthews, Deborah (L)
	Wynne, Kathleen O. (L)	Leeds-Grenville	
Don Valley West / Don Valley-Ouest	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London North Centre / London-Centre-Nord	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Labour / ministre du Travail
Dufferin-Peel- Wellington-Grey	O'Toole, John (PC)	London West / London-Ouest	Ramal, Khalil (L)
Durham	Colle, Mike (L)	London-Fanshawe	Wong, Tony C. (L)
Eglinton-Lawrence	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Markham	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Transportation / ministre des Transports
Elgin-Middlesex-London	Hudak, Tim (PC)	Mississauga Centre / Mississauga-Centre	Fonseca, Peter (L)
	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga East / Mississauga-Est	Peterson, Tim (L)
Erie-Lincoln Essex	Cansfield, Donna H. (L)	Mississauga South / Mississauga-Sud	Delaney, Bob (L)
Etobicoke Centre / Etobicoke-Centre	Qaadri, Shafiq (L)	Mississauga West / Mississauga-Ouest	Baird, John R. (PC)
Etobicoke North / Etobicoke-Nord		Nepean-Carleton	Kormos, Peter (ND)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Niagara Centre / Niagara-Centre	Craiton, Kim (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Niagara Falls	Martel, Shelley (ND)
Guelph-Wellington	Sandals, Liz (L)	Nickel Belt	Smith, Monique M. (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Nipissing	Rinaldi, Lou (L)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Northumberland	Klees, Frank (PC)
Halton	Chudleigh, Ted (PC)	Oak Ridges	



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Oakville	Flynn, Kevin Daniel (L)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Oshawa	Ouellette, Jerry J. (PC)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Thornhill	Racco, Mario G. (L)
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton</b> (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Thunder Bay–Atikokan	Mauro, Bill (L)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim</b> (L) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Thunder Bay–Superior North / Thunder Bay–Superior- Nord	Gravelle, Michael (L)
Ottawa–Orléans	McNeely, Phil (L)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David</b> (L) Minister of Natural Resources / ministre des Richesses naturelles
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine</b> (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Oxford	Hardeman, Ernie (PC)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Parkdale–High Park	<b>Kennedy, Hon. / L'hon. Gerard</b> (L) Minister of Education / ministre de l'Éducation	Toronto–Danforth	Churley, Marilyn (ND)
Parry Sound–Muskoka	Miller, Norm (PC)	Trinity–Spadina	Marchese, Rosario (ND)
Perth–Middlesex	Wilkinson, John (L)	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg</b> (L) Minister of Finance / ministre des Finances
Peterborough	Leal, Jeff (L)	Waterloo–Wellington	<b>Arnott, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Whitby–Ajax	Flaherty, Jim (PC)
Prince Edward–Hastings	Parsons, Ernie (L)	Willowdale	Zimmer, David (L)
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra</b> (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Samia–Lambton	Di Cocco, Caroline (L)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight</b> (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Sault Ste. Marie	Oraziotti, David (L)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York North / York-Nord	Munro, Julia (PC)
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry</b> (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement		
Scarborough–Rouge River	<b>Curling, Hon. / L'hon. Alvin</b> (L) Speaker / Président		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J.</b> (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St. Paul's	<b>Bryant, Hon. / L'hon. Michael</b> (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

## CONTENTS

**Monday 16 May 2005**

### SECOND READINGS

#### **Education Amendment Act, 2005,**

Bill 194, *Mr. Kennedy*

Mr. Marchese ..... 7089

Agreed to..... 7095

## TABLE DES MATIÈRES

**Lundi 16 mai 2005**

### DEUXIÈME LECTURE

#### **Loi de 2005 modifiant la Loi**

**sur l'éducation, projet de loi 194,**

*M. Kennedy*

Adoptée..... 7095





No. 147

N° 147

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Tuesday 17 May 2005**

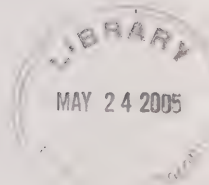
**Mardi 17 mai 2005**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 17 May 2005

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 17 mai 2005

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### ONTARIO ASSOCIATION OF POLICE SERVICES BOARDS

**Mr. Garfield Dunlop (Simcoe North):** I rise in the House on behalf of John Tory and the PC caucus to welcome the Ontario Association of Police Services Boards to Queen's Park.

The OAPSB met with John Tory and me this morning to explain their key issues in detail. We heard specific examples of how the lack of justices of the peace puts additional pressures on municipal clerks and causes cases to be thrown out of court. We learned, to our great astonishment, that Elgin county doesn't even have a JP and requires video conferencing to London for this service.

We learned that the OAPSB is concerned that Minister Kwinter has left too much up to regulations in his private security legislation, Bill 159. We also learned of yet another Liberal broken promise to the public safety community: the McGuinty promise to allow for local bargaining of some aspects of the pension plan for police and other municipal employees. Before this morning, I hadn't even heard of this Dalton McGuinty broken promise.

Anyone who has watched this House since October 2003 will know that I am fully aware of the McGuinty Liberals' broken promise to put 1,000 new police officers on the streets for community policing. I wouldn't be surprised if the Liberals took advantage of Police Week to deliver some sort of joke reannouncement to make it look like they actually care about keeping their word to police.

The other day we delivered a budget, and the words "police" and "community safety" were not even mentioned in the budget. Imagine how police stakeholders in this province feel about that type of budget. I'm expecting that Mr. Kwinter will make an announcement tomorrow on community safety and policing. I suppose he will reannounce his September 24 announcement on hiring new police, or maybe it will be an expert advisory panel on community policing. Anyhow, we expect some kind of announcement.

#### CHET GERVAIS AND ADAM SINASAC

**Mr. Bruce Crozier (Essex):** I rise today to congratulate two very talented grade 11 students from Sandwich

Secondary School in my riding, Chet Gervais and Adam Sinasac. Using off-the-shelf hardware and software, these two students stunned scientists and engineers across Canada and across the world by developing a three-dimensional imaging system that can reliably detect breast tumours without using MRIs or CT scans, and in a fraction of the time.

There is presently no medical imaging system commercially available in the world that can produce comparable co-registered mammography and high-resolution breast ultrasound images. This medical device has significant patient care advantages, providing 100 times more breast ultrasound imaging information to the radiologist for review than during conventional breast ultrasound imaging.

Competing against top teen scientists from around the world, this new medical device, dubbed the Matrix probe system, earned Chet Gervais a first award of \$3,000 under the medicine and health category and an honourable mention for best use of photography to gather data at the recent International Science and Engineering Fair.

These two students prove beyond a doubt that there's nothing that can't be accomplished when you put your mind to it. Their ingenuity and imagination are an inspiration. On behalf of everyone in my riding—everyone in Ontario and Canada, for that matter—I thank these students for their hard work and perseverance.

Congratulations, Chet and Adam.

#### FARMERS AND RURAL ONTARIO

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** Yesterday in Ottawa, hundreds of Ontario farmers rolled on to Parliament Hill to deliver their verdict on Liberal governments that have turned their backs on the people of rural Ontario. Many tractors carried signs that read, "No Farms, No Food, No Future." That's the reality many are facing as they consider the only option this government gives them: selling out the family farm. That is the reality that faces all of us if this government continues the direction of ignoring the needs of our rural families.

Take a look at the budget. No matter how you add it up, \$613 million less in spending on agriculture compared to last year is another in a long line of refusals by this government to address the challenges of our already struggling farmers and rural residents. I'll tell you, we will see a lot more tractors taking to city streets as the people we depend on and rural Ontario become more desperate to find a way on to this Liberal government's agenda.

As organizer and Lanark Landowners' Association president Randy Hillier noted yesterday, "We found support from all parties—except the Liberals." That is because all parties except the Liberals understand that support for rural Ontario is essential to the success of the province as a whole. When are Liberals going to wake up and stop fiddling with our future while the potential of rural Ontario burns?

### BURIAL OF INDIGENT PERSONS

**Mr. Peter Kormos (Niagara Centre):** Regional councillors down in Niagara are grappling with a provincial regulation that restricts them to paying no more than \$1,000 for a burial plot and burial costs for people on Ontario Works and other persons dying in abject poverty, when in fact municipalities across Niagara region regularly require more than \$1,000 for the burial plot, the average price being \$1,318. Indeed, the regional municipality of Niagara spent \$217,000 on the burial of indigent persons last year and has budgeted yet \$200,000 more this year.

I join them in their request, not just for clarification but in fact for updating the regulation to ensure that the costs that are allowed to be paid for the burial of indigent persons accurately reflect what the realities are in terms of the cost of a municipal non-profit burial plot, among other things. Funeral homes are already co-operating by providing significant discounts in their charges, but more significantly, the people of Niagara want to know why they are still having downloaded on to them almost a quarter of a million dollars a year in a provincially mandated responsibility, the burial of indigent persons, when that cost should clearly be borne by the province of Ontario and not by property taxpayers in those good municipalities across the regional municipality of Niagara.

The real issue here is for the government to pick up the tab and pick up its responsibility and pay these costs at the level where they should truly be absorbed.

### NURSES

**Mr. Tony C. Wong (Markham):** Last week I had the opportunity to see first-hand just how hard our Ontario nurses work every day. On May 13, as part of Nursing Week's Take Your MPP to Work Day, I accompanied Markham nurse Janet Crozier on a patient home care visit.

Ontario nurses ensure the health and well-being of all Ontarians by providing compassionate and dedicated care. I would like to recognize those all too often unsung heroes. The job of a nurse is a difficult one by nature, made all the more difficult by the drastic cuts in health care made by the previous government. Our government's May 11 budget demonstrates a commitment to continue to change the conditions in health care left by the Tories. The Tories cut funding to hospitals by \$557 million in their first two years in office but they did not stop there. After spending nearly \$400 million on firing

8,000 nurses in the province, they then spent hundreds of millions in a desperate attempt to rehire them, while at the same time referring to nurses and other health care professionals as Hula Hoop workers. This is yet but another Tory legacy.

### 1340

Our 2005 budget made record investments in home care funding. We will expand services to almost 50,000 additional Ontarians, including end-of-life care for 4,300 additional people. Our investments will result in more jobs for nurses, building on more than the 2,000 that have already been created.

The McGuinty government is committed to Ontario's nurses and the health of this province. We have made strides in cleaning up the mess left to us by the Tories. Once again I thank Janet Crozier, Markham's Saint Elizabeth Health Care and all nurses for their dedication.

### ONTARIO BUDGET

**Mr. Tim Hudak (Erie—Lincoln):** Equal time, Mr. Speaker.

I know there are a few members here who were there. Wednesday's budget was a lot like David Peterson: déjà vu all over again—big spending, a big deficit and phase 2 of a record tax grab. Let's look at the facts.

Due to the tax hikes on working families and businesses and hydro rate hikes, they are raking in \$13 billion more than the last PC government. Despite this brazen tax grab—and let's not forget about those broken promises—they are still managing to run a deficit of some \$3 billion. You talk about fiscal mismanagement; they have it in spades across the floor. In fact, that is a pace of runaway spending that would make David Peterson gasp for air.

The Canadian Federation of Taxpayers pointed out that the spending per capita under the Dalton McGuinty government, some \$6,578, adjusted for inflation, beats Bob Rae and David Peterson without taking a breath.

The finance chair for the region of Niagara, the hard-working Councillor Doug Martin, is here today. I know he's going to be concerned that despite this record rake-in in tax revenue, they are seeing cuts in important ministries for Niagara, like municipalities, tourism and agriculture.

When it comes to making tough choices on spending, I already talked about it being like David Peterson all over again. But to use another Yogi Berra metaphor, when Dalton McGuinty comes to a fork in the road, he takes it.

### INFRASTRUCTURE PROGRAM FUNDING

**Mr. Khalil Ramal (London—Fanshawe):** Ontario's economy depends on the strength of its people. The people of Ontario depend on an infrastructure that is modern, efficient and affordable. Children learn better in schools that are in good repair, and patients cope better in comfortable, up-to-date hospitals. Commuters need



reliable public transit and highway systems to travel from home to work. Business needs transportation networks to get the resources required to produce goods and services.

I rise in the House today not to lecture you or the people of Ontario on basic truths but to inform you and them of the investment this government made in the 2005 budget to make them possible. The McGuinty government is committed to a five-year, \$30-billion infrastructure investment plan. This plan fulfills three key objectives: renewing infrastructure, building new infrastructure and managing it better. The mayor of London, Anne Marie DeCicco, observed that the budget is focused on the priorities of Londoners: health care, education—post-secondary education in particular—and infrastructure needs. She thinks the budget is great news, that our message is clear, and the good news is being well received. The government cares about the short- and long-term livelihood of our urban, rural and northern centres and communities and the businesses and people of this province who keep them running.

### CHILDREN'S SERVICES

**Mr. John Milloy (Kitchener Centre):** I rise in the House today to talk about what our government is doing through our recently tabled budget to improve the lives of children in this province. Not only does our budget propose a huge boost to postsecondary education in Ontario, but it also confirmed our investment in our youngest citizens' education. Our government understands that the foundation for students' success begins in the early years. That's why we are so proud and excited about our Best Start program. Best Start will significantly increase child care spaces for children in junior and senior kindergarten and make child care fee subsidies available to more families.

I'm proud that the budget is also making it easier for families to keep their children safe. Last December, Bill 73, An Act to enhance the safety of children and youth on Ontario's roads, was passed. Regulations under this act would make booster seats mandatory for children who are too big for child car seats, yet too small to be properly protected by seat belts. The budget proposes an amendment to the Retail Sales Act. The amendment would ensure that families get a retail sales tax exemption for child car seats, including booster seats.

I am proud to say that these measures and others in our 2005 budget will go a long way to help keep our children safe and give them the best possible start in life.

### POST-SECONDARY EDUCATION

**Ms. Kathleen O. Wynne (Don Valley West):** In the leadup to this year's budget, my constituents made it clear to me that a key priority for reinvestment this year was post-secondary education. I heard from many more constituents on that issue than on any other issue, and I want to share some examples with you.

A proud grandmother wrote to me, "We have the brains and the teachers. Let's give them the means."

A mother with children soon to graduate from high school said, "I support increased funding for universities, for the sake of my children's future and for the future of our province."

Another constituent wrote, "If Ontario is to remain and/or become a leader in education, it is imperative that the recommendations of the Rae report receive the attention and support of the Ontario government.... The students of Ontario deserve the opportunity to be the very best they can be, and that requires a commitment by the government."

With the largest investment in post-secondary education in 40 years, our budget came through on these constituents' desires, and it came through for the future of Ontario.

My riding of Don Valley West is the proud home of Glendon College, Toronto's bilingual university. Glendon is important to my riding and to the province. Locally, it gives students an excellent post-secondary option right in their backyard, and for the city it gives students a real opportunity to congregate in a bilingual environment right here in Toronto. Glendon gives our students a great set of learning opportunities and the chance to benefit from the advantage of true bilingualism.

The additional funding we're providing to universities and colleges will only help Glendon to do a better job for my constituents and for Ontarians. Our government's investment will build Ontario's economic and intellectual future.

*Interjections.*

**The Speaker:** Order.

I empathize with the member from Don Valley West for having to shout over all the conversations going on in the House. Could you keep that down a bit.

### VISITORS

**The Speaker (Hon. Alvin Curling):** Members may have observed, in the west gallery, Douglas Moffatt, member for Durham East in the 30th Parliament, visiting us here today. Let's welcome him.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mrs. Linda Jeffrey (Brampton Centre):** I beg leave to present a report from the standing committee on general government and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Mrs. Jeffrey from the standing committee on general government presents the committee's report as follows and moves its adoption:

Your committee begs to report the following bill as amended:

Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997 / Projet de loi 155, Loi modifiant la Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments et apportant des modifications corrélatives à la Loi de 1997 sur la protection du poisson et de la faune.

**The Speaker (Hon. Alvin Curling):** Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

## INTRODUCTION OF BILLS

### GREENBELT AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT LA LOI SUR LA CEINTURE DE VERDURE

Mr. Hudak moved first reading of the following bill:

Bill 200, An Act to amend the Greenbelt Act, 2005 by establishing the Niagara Greenbelt Advisory Committee and the Holland Marsh Greenbelt Advisory Committee / Projet de loi 200, Loi modifiant la Loi de 2005 sur la ceinture de verdure en créant le Comité consultatif de la ceinture de verdure du Niagara et le Comité consultatif de la ceinture de verdure du marais Holland.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr. Tim Hudak (Erie-Lincoln):** This bill, if passed, would follow the advice that we heard at committee, that we create two advisory committees to the minister for the two specialty crop areas outlined in the bill: one for the region of Niagara, and one for the Holland Marsh area.

### HEALTH INSURANCE AMENDMENT ACT (PSA TESTS FOR PROSTATE CANCER), 2005

#### LOI DE 2005 MODIFIANT LA LOI SUR L'ASSURANCE-SANTÉ (TEST PSA POUR LE DÉPISTAGE DU CANCER DE LA PROSTATE)

Mr. Mauro moved first reading of the following bill:

Bill 201, An Act to amend the Health Insurance Act / Projet de loi 201, Loi modifiant la Loi sur l'assurance-santé.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr. Bill Mauro (Thunder Bay-Atikokan):** This bill would amend the Health Insurance Act to make PSA tests an insured service under OHIP. A PSA, or prostate-specific antigen test, is a blood test to assist doctors in looking for prostate cancer.

## MOTIONS

### HOUSE SITTINGS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. till 9:30 p.m. on Tuesday, May 17, 2005, for the purpose of considering government business.

**The Speaker (Hon. Alvin Curling):** The government House leader has moved government notice of motion 372. Is it the pleasure of the House that the motion carry?

*Interjections.*

**The Speaker:** Order. I can always hear on the first sound.

All those in favour of the motion, please say "aye."

All those against, say "nay."

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1353 to 1358.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne  
Bartolucci, Rick  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bountrogianni, Marie  
Bradley, James J.  
Brotten, Laurel C.  
Brownell, Jim  
Bryant, Michael  
Caplan, David  
Chambers, Mary Anne V.  
Colle, Mike  
Cordiano, Joseph  
Craiton, Kim  
Crozier, Bruce  
Delaney, Bob  
Di Cocco, Caroline  
Dombrowsky, Leona

Duguid, Brad  
Duncan, Dwight  
Fonseca, Peter  
Gerretsen, John  
Gravelle, Michael  
Hoy, Pat  
Jeffrey, Linda  
Kennedy, Gerard  
Lalonde, Jean-Marc  
Levac, Dave  
Marsales, Judy  
Mauro, Bill  
Meilleur, Madeleine  
Milloy, John  
Mitchell, Carol  
Mossop, Jennifer F.  
Orazietti, David  
Peters, Steve

Peterson, Tim  
Phillips, Gerry  
Pupatello, Sandra  
Qaadri, Shafiq  
Racco, Mario G.  
Ramal, Khalil  
Ramsay, David  
Rinaldi, Lou  
Smith, Monique  
Smitherman, George  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

**The Speaker:** All those against, please rise one at a time and be recognized by the Clerk.

#### Nays

Arnott, Ted  
Baird, John R.  
Barrett, Toby  
Bisson, Gilles  
Chudleigh, Ted  
Dunlop, Garfield  
Hardeman, Ernie  
Horwath, Andrea  
Hudak, Tim

Jackson, Cameron  
Klees, Frank  
Kormos, Peter  
Marchese, Rosario  
Martel, Shelley  
Martiniuk, Gerry  
Miller, Norm  
Murdoch, Bill  
O'Toole, John

Ouellette, Jerry J.  
Prue, Michael  
Runciman, Robert W.  
Scott, Laurie  
Tascona, Joseph N.  
Tory, John  
Wilson, Jim  
Witmer, Elizabeth  
Yakubski, John

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 52; the nays are 27.

**The Speaker:** I declare the motion carried.

**Hon. Mr. Duncan:** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 till 9:30 p.m. on Wednesday, May 18, 2005, for the purpose of considering government business.



**The Speaker:** The government House leader has moved government notice of motion 373.

All those in favour of the motion, please say "aye."

All those against, please say "nay."

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1402 to 1407.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne	Duguid, Brad	Patten, Richard
Bartolucci, Rick	Duncan, Dwight	Peters, Steve
Bentley, Christopher	Fonseca, Peter	Peterson, Tim
Berardinetti, Lorenzo	Gerretsen, John	Phillips, Gerry
Bountrogianni, Marie	Gravelle, Michael	Pupatello, Sandra
Bradley, James J.	Hoy, Pat	Qaadri, Shafiq
Broten, Laurel C.	Jeffrey, Linda	Ramal, Khalil
Brown, Michael A.	Kennedy, Gerard	Ramsay, David
Brownell, Jim	Kwinter, Monte	Rinaldi, Lou
Bryant, Michael	Lalonde, Jean-Marc	Smith, Monique
Caplan, David	Leal, Jeff	Smitherman, George
Chambers, Mary Anne V.	Levac, Dave	Sorbara, Gregory S.
Colle, Mike	Marsales, Judy	Takhar, Harinder S.
Cordiano, Joseph	Mauro, Bill	Van Bommel, Maria
Craiton, Kim	Meilleur, Madeleine	Watson, Jim
Crozier, Bruce	Milloy, John	Wilkinson, John
Delaney, Bob	Mitchell, Carol	Wong, Tony C.
Di Cocco, Caroline	Mossop, Jennifer F.	Wynne, Kathleen O.
Dombrowsky, Leona	Oraziotti, David	

**The Speaker:** All those against, please rise one at a time and be recognized by the Clerk.

#### Nays

Amott, Ted	Klees, Frank	Prue, Michael
Baird, John R.	Kormos, Peter	Runciman, Robert W.
Barrett, Toby	Marchese, Rosario	Scott, Laurie
Bisson, Gilles	Martel, Shelley	Tascona, Joseph N.
Chudleigh, Ted	Martiniuk, Gerry	Tory, John
Dunlop, Garfield	Miller, Norm	Wilson, Jim
Hardeman, Ernie	Munro, Julia	Witmer, Elizabeth
Horwath, Andrea	Murdoch, Bill	Yakubski, John
Hudak, Tim	O'Toole, John	
Jackson, Cameron	Ouellette, Jerry J.	

**The Clerk of the Assembly:** The ayes are 56; the nays are 28.

**The Speaker:** I declare the motion carried.

**Hon. Mr. Duncan:** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. till 9:30 p.m. on Thursday, May 19, 2005, for the purpose of considering government business.

**The Speaker:** The government House leader has moved government notice of motion 374. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those against, please say "nay."

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1410 to 1415.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne	Duncan, Dwight	Peters, Steve
Bartolucci, Rick	Fonseca, Peter	Peterson, Tim

Bentley, Christopher	Gerretsen, John	Phillips, Gerry
Berardinetti, Lorenzo	Gravelle, Michael	Pupatello, Sandra
Bountrogianni, Marie	Hoy, Pat	Qaadri, Shafiq
Bradley, James J.	Jeffrey, Linda	Racco, Mario G.
Broten, Laurel C.	Kennedy, Gerard	Ramal, Khalil
Brown, Michael A.	Kwinter, Monte	Ramsay, David
Brownell, Jim	Lalonde, Jean-Marc	Rinaldi, Lou
Bryant, Michael	Leal, Jeff	Sandals, Liz
Cansfield, Donna H.	Levac, Dave	Smith, Monique
Caplan, David	Marsales, Judy	Smitherman, George
Chambers, Mary Anne V.	Mauro, Bill	Sorbara, Gregory S.
Colle, Mike	McMeekin, Ted	Takhar, Harinder S.
Cordiano, Joseph	Meilleur, Madeleine	Van Bommel, Maria
Craiton, Kim	Milloy, John	Watson, Jim
Crozier, Bruce	Mitchell, Carol	Wilkinson, John
Delaney, Bob	Mossop, Jennifer F.	Wong, Tony C.
Di Cocco, Caroline	Oraziotti, David	Wynne, Kathleen O.
Dombrowsky, Leona	Parsons, Ernie	Zimmer, David
Duguid, Brad	Patten, Richard	

**The Speaker:** All those against, please rise one at a time and be recognized by the Clerk.

#### Nays

Amott, Ted	Jackson, Cameron	Ouellette, Jerry J.
Baird, John R.	Klees, Frank	Prue, Michael
Barrett, Toby	Kormos, Peter	Runciman, Robert W.
Bisson, Gilles	Marchese, Rosario	Scott, Laurie
Chudleigh, Ted	Martel, Shelley	Tascona, Joseph N.
Churley, Marilyn	Martiniuk, Gerry	Tory, John
Dunlop, Garfield	Miller, Norm	Wilson, Jim
Hardeman, Ernie	Munro, Julia	Witmer, Elizabeth
Horwath, Andrea	Murdoch, Bill	Yakubski, John
Hudak, Tim	O'Toole, John	

**The Clerk of the Assembly:** The ayes are 62; the nays are 29.

**The Speaker:** I declare the motion carried.

### VISITORS

**The Speaker (Hon. Alvin Curling):** In the Speaker's gallery is a good friend, Senator the Honourable A.J. Nicholson, Q.C., Attorney General and Minister of Justice of Jamaica; the Honourable Mr. Justice Lensley Wolfe, C.J., Chief Justice of Jamaica; and Mrs. Carol Palmer, J.P., the Permanent Secretary to the Ministry of Justice, Jamaica. Let's welcome them here today.

### STATEMENTS BY THE MINISTRY AND RESPONSES

#### SUBVENTIONS DESTINÉES À L'ÉDUCATION EDUCATION FUNDING

**L'hon. Gerard Kennedy (ministre de l'Éducation):** Je me lève dans cette Assemblée législative pour exposer le plan du gouvernement McGuinty visant à transformer nos écoles secondaires de sorte qu'elles soient équipées pour faire pleinement ressortir le potentiel de chaque élève.

Our government is well aware of the unacceptably high dropout rate. An estimated 30% of high school

students may not graduate. That is why last June we announced a comprehensive program to help struggling students, supported by a \$100-million investment that meant student success leaders in every school board, resources for principals and teachers to deliver local action plans to meet students' unique needs, revisions to the curriculum to offer more flexibility and options, and training for teachers.

That investment has begun delivering results for students, and progress is being made.

1420

The grade 10 literacy tests for English-language students in the applied stream who took the test for the first time are a case in point. This year, 62% of these students passed, compared to only 49% last year. That's a 27% increase in just the last year.

There is, though, much more work to do for all Ontario students. That is why this year's budget includes an \$820-million boost for education overall. I am pleased to outline the first details of that investment for members today.

C'est pourquoi le budget de cette année incluait un coup de pouce de 820 \$ millions pour l'éducation en général, et j'ai le plaisir d'exposer aujourd'hui aux membres les premiers détails de cet investissement.

In total, \$158 million will be dedicated to expanding our concentrated student success program. This investment is part of our effort to fundamentally change the focus of high schools and enable them to deliver a good outcome for every student in them. This funding increase is backed by a strategy to keep students in school, learning, and to prepare them for their destination of choice, whether that is a job placement with learning, an apprenticeship, or a college or university. Our high school investment is about opportunities and it's about results.

Of the \$158 million, \$89 million will provide for 1,300 new secondary teachers in our high schools September 1 of the next school year. More than 800 of these will be dedicated to student success programs. The number of new teachers will rise to over 1,900 in the course of the next three years. In addition, another \$25 million has been brought forward for one-time funding, bringing the total to \$45 million to expand technological education programs and to buy new equipment.

Our education investment also means smaller class sizes in specific courses, targeted support for students with English as a second language or French as a second language, and more resource teachers, such as librarians and guidance counsellors, who benefit all high school students. In addition, \$23 million in special projects will support struggling students and those with English as a second language.

This year, \$14.5 million has been set aside to purchase new textbooks, on top of existing budgets for our high school students, and \$6 million has been provided to replenish, through one-time funding, resource material for secondary school libraries.

Over 70% of parents expect that their students will attend university. In reality—and our jurisdiction is the

best at this particular outcome—33% of students get there, to university, after graduation. For those students who do not go on to university, Ontario's high schools must provide an equal path to success. We believe that every student should receive a good outcome from Ontario's public education system.

Nous pensons que chaque élève devrait obtenir de bons résultats dans le système d'éducation financé par les deniers publics de l'Ontario. Aujourd'hui, nous honorons cet engagement.

## SOCIAL ASSISTANCE

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I rise in the Legislature today to inform the House about yet another step the McGuinty government is taking to restore integrity to Ontario's social assistance program. Today is a giant step forward, a step that will help move people from welfare to work by breaking down barriers that stand in their way and by providing the appropriate supports to get them to succeed, to help them take those first important steps to getting back on their feet and getting out of the welfare trap.

Our changes recognize that social assistance clients are not just statistics; they are real people who are willing to work. They want to improve their lives and the lives of their families. We think our welfare program should work too.

That's why I'm pleased today to announce that, beginning this August, we are implementing a host of changes that will help Ontario Works clients stop working for welfare and start working for a living.

Number one, we are introducing a new transitional health benefit that will provide six months of basic health coverage for such things as prescription drugs, vision and dental care for people who are leaving Ontario Works for employment. We know from experience that many jobs such as temp work, contract work or self-employment don't provide health benefits to employees, and those that do often have a wait time of six months before a new employee is eligible for coverage. Right now, the fear of losing basic health benefits is an enormous barrier and disincentive to employment, especially for people who have children. We don't want the fear for a sick child to be that thing that keeps someone on welfare when that person can work and wants to work.

Secondly, we are scrapping the complex and very confusing earning exemptions regime—all those rules—and replacing it with a very straight, simple, 50% flat rate exemption. It is clear, it's understandable and clients will be able to see, without any complicated calculations or long explanations, exactly what they're earning and what they are keeping. Finally, the financial benefits of working will be crystal clear.

Third, we are eliminating the two-year limit on the variable portion of the earnings exemption. If we want people to stay in the workforce, gain skills and turn their lives around, why would we suddenly begin clawing



back virtually all of their earnings after 24 months? What kind of message does that send to our clients? Ontario Works clients need to see that working for a living is better than working for welfare.

Fourth, we are increasing the amount that Ontario Works clients can deduct for informal child care costs for the first time in 16 years. For 16 years, the maximum deduction for informal child care expenses has been stuck at \$390 per month, an amount that completely fails to acknowledge what a critical support informal care is for families who work part-time, shift work or anything other than a 9-to-5 day. Beginning this August, we are increasing the maximum informal child care deduction amount to \$600 per month. This increase will allow parents working full-time to use informal care as needed.

Remember, thanks to our minister for children, this past year, \$58.2 million was delivered for child care, creating more than 4,000 subsidized child care spaces, and we've signed an historic agreement with the federal government that makes child care a top national priority, with a clear commitment to improve quantity and quality. We thank our children's minister for that because this is the minister who delivered it for Ontario and for Ontario families.

Number five, we are introducing a new full-time employment benefit of up to \$500 to help Ontario Works clients with the very real costs they face when starting a full-time job. This will not only help them with things such as transportation costs, but it will provide an additional incentive for people to work hard to get back into that workforce.

When our government was elected, we said that we expect people to take responsibility for improving their lives, and in turn we will live up to our responsibility for helping them get there. That's what our changes do. They're changes that make a real difference for those thousands who are Ontario's poorest citizens. They're changes that will help thousands and thousands escape that welfare trap. They're changes that recognize that Ontario's people are its greatest resource—and we've heard Premier McGuinty talk about that time and time again. We must never stop finding ways to help them obtain a quality of life that is second to none, right here in Ontario.

**The Speaker (Hon. Alvin Curling):** Responses?

1430

#### EDUCATION FUNDING

**Mr. Frank Klees (Oak Ridges):** Another photo op for the Minister of Education, another reannouncement of a former announcement. When will the minister take seriously his responsibilities as the minister with responsibility for all schoolchildren across this province?

Do we support new funding of textbooks? Of course. But what I want to ask the minister is, what has he put in place to ensure that those dollars will in fact go to purchasing textbooks and not to paying for the 10.5%

increase he guaranteed for teachers' salaries over the next four years? Do we support lower class sizes? Of course we do. Would anyone object to an announcement of additional resources for technological education programs and new equipment? Of course not; we're all in support of that. Few would object to these programs, because they are positive.

But there is one group of parents who are left wondering how the minister can justify continuing to make multi-million dollar announcements for some students and continue to ignore their children, and those are the parents of autistic children. Not only is the minister refusing to honour the Premier's written guarantee to provide funding for children with autism over the age of six, he is dragging those parents through the courts, appealing a Superior Court decision ordering the government to provide those services. The minister and the Premier continue to pronounce their empty catchphrase, "Every child in this province deserves an equal quality education."

Minister and Premier, why does that not apply to autistic children? When will you have a photo op and an announcement with those parents and those children who are appealing to you, not for additional textbooks, not for additional technological equipment, but for the very basic skills of communication and mobility? I call on this minister and this Premier to get their priorities straight and to honour their commitments to all children in this province.

#### SOCIAL ASSISTANCE

**Mr. Cameron Jackson (Burlington):** I went through the budget, figuring we might find something in it that dealt with the issue of job training for persons on social assistance in this province. I'm sad to report that there is none. So today I'm not surprised to hear the minister commenting about her changes, given the fact that she has not made the kind of financial commitment to persons on social assistance to give them the training, the literacy and the other supports that are required in order for them to move off social assistance.

What's very clear—although it isn't clear on the face of the minister's comments, which is very much her stock-in-trade—is that this is working on welfare for life. When you take a person on social assistance who can have a part-time job for the next two years, at which point people, including municipalities, say, "Maybe it's time, if you work an extra several hours, you can get off welfare," but the government has decided that it's OK to stay on welfare, to keep a part-time job and benefits for the rest of your life. You can gild that lily any way you want, but the truth of the matter is, that's the effect. In our view, that's an admission that your steps to employment programs are not working.

Again, the minister failed to get any mention from the Treasurer in the budget. All there is is a reiteration of a commitment made a year ago about a couple of pilot

projects, with no progress report and no targeted number of new persons for employment.

The second issue: The minister underscores the notion that the \$500 is new. Well, it's not new. What's new is that they're going to give \$500 cash to people and say, "I hope you'll go out and buy safety boots and safety glasses"—whatever is needed. Under the previous government and under the system that exists until August, those expenses have to be documented and are provided for through the municipalities in order to effect proper employment. If we're going to give them \$500 cash with no questions asked, maybe this government assumes it will be an easier way. But frankly, these are not steps to employment; this is a pause to employment.

### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity-Spadina):** The most positive thing I could say about the Minister of Education's announcement is the following: Should these promises come to fruition, it would be a good thing. But I frankly do not believe it or them, and I have no faith in this government.

I've got a couple of examples. Take the special education dollars. Last year, the Minister of Education announced in July, at the end of the school year, \$100 million for special education, and then in August he swindles \$100 million from the boards, claws back the same \$100 million. So in the end, what do we have? No money for last year for special education and no money for this year for special education, even though the minister claimed there would be \$50 million available for boards to access that \$100 million that was properly owed to them the year before, and no processes in place and not one cent went back for special ed. That's one example.

The second example: the capital expenditure amortization fund. This minister last year announced that \$200 million would be available for capital projects and that would raise \$3 billion, only to discover when he made this announcement four months ago that no money was ever spent. When the minister was asked about this, he said this was simply there so boards would know that we would make another announcement a year later about this announcement that is made this year where \$280 million is available and, good God, we will have available \$4 billion. Next year, \$6 billion will be available.

You get my drift? No money is ever spent. You have announcements and nothing gets spent, and then you reannounce. I can't tell a pronouncement from a re-announcement from a non-announcement. We have no time frames. We have no tracking available to know what this minister or this government is spending. They are just plainly announcements.

That is why I urge the Minister of Education to fulfill the promise that he made prior to the election, and that is that we will have a standing committee on education finance in order to be able to know where the money is and where it's going, where it's being spent, if promised.

Minister, I urge you, set up the standing committee. It was your promise; it was McGuinty's promise. Two years later, we still don't know where the money is. A good announcement, if ever we're going to see the money. I don't believe it.

### SOCIAL ASSISTANCE

**Mr. Michael Prue (Beaches-East York):** To the Minister of Comsoc, I looked at your bill; I listened to your speech. You talk about a few lucky people who are on Ontario Works. There is not one word in your statement, not one word in your speech, about the tens of thousands of people who are on the Ontario disability support program. You and your colleagues stand in this House and talk about the disabled, but when you bring forward a bill like this, you don't do a single thing for the disabled. You don't include them in this bill. You don't talk about them at all.

You don't talk about all those people who are between 60 and 65 years of age that the previous government took out of the Ontario disability support program and put into Ontario Works. You don't talk about them. How are they supposed to be finding jobs? How are they supposed to be making ends meet?

You and your government have done absolutely nothing in terms of the promises you made. I'd like to quote you in this very House, because what you say isn't what you mean; what you promise isn't what you do.

In this very House on December 17, 2003, you stated, "I will repeat the McGuinty government commitment during the last campaign, which is what our party campaigned on and what our party will deliver on, and that is an increase to the ODSP and welfare rates to match COLA." That is what you said back then. What do you do now? You do absolutely nothing. You do nothing to help the people. You do nothing about the clawback. You continue to claw back the money from the poorest kids. You do nothing about welfare rates. You do nothing about rent supplements. You do nothing for housing. You do nothing for the shelter allowance, which would help these people more than anything else I can think of.

You have promised a few things to a few people who might go out and find a job, and good luck to them. But for the overwhelming majority of the poor, you are a disgrace.

1440

### VISITORS

**Mr. Frank Klees (Oak Ridges):** On a point of order, Mr. Speaker—

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. I would like to hear this point of order, please.

*Interjection.*

**The Speaker:** Minister of Community and Social Services, I'd like to hear this point of order.

*Interjection.*



**The Speaker:** I'm waiting until the member from Ottawa Centre—

*Interjection.*

**The Speaker:** Order. If I can't get any order, maybe today will be another naming day.

The member from Oak Ridges has a point of order.

**Mr. Klees:** Thank you, Speaker. I'm sure you will find this a point of order.

I want to draw your attention to the presence of regional councillor Mr. Barrow from the town of Richmond Hill, who is in the west gallery. I ask honourable members to welcome him.

**The Speaker:** That is not a point of order, but we shall move to the next item on the agenda.

**Ms. Andrea Horwath (Hamilton East):** On a point of order, Mr. Speaker: I'd like to draw attention to and welcome the chair of the Hamilton Police Services Board and the representative for ward 3 in Hamilton, Mr. Bernie Morelli.

**Mrs. Liz Sandals (Guelph-Wellington):** On a point of order, Mr. Speaker—

**The Speaker:** If this is a point of order, will you draw attention to everyone here then, so I don't have to entertain any other points of order like that any more?

**Mrs. Sandals:** This, in fact, was my intent, Speaker, to explain that we have a number of members from the Ontario Association of Police Service Boards with us in the gallery, and I hope we would welcome all of them.

**The Speaker:** And that will take care of everyone here who's on the police services board.

## ORAL QUESTIONS

### ONTARIO BUDGET

**Mr. John Tory (Leader of the Opposition):** My question is to the Premier. On page 76 of last year's budget and on page 71 of this year's budget, there are two charts showing the state of Ontario's finances for the next five years.

In only one year, your government has revised its five-year spending plan up by \$13.4 billion, an incredible 25%. Meanwhile, you are only forecasting revenues to grow by an extra \$6 billion.

Can you tell us where this money is going to come from? Is it from borrowing or from taxes?

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** It's all laid out in great detail in the budget, which, by the way, I believe has been well received by the people of Ontario.

We've been very clear about the kinds of choices we are making on behalf of the people of Ontario through this budget. One of the choices that the leader of the official opposition will be called upon to make later today when we have a vote is whether or not he supports our unprecedented massive injection of funding into the post-secondary education system in Ontario.

The people of Ontario know where we stand when it comes to better funding our post-secondary education system. I think they will be interested in learning where Mr. Tory stands this afternoon.

**Mr. Tory:** I would say to the Premier, if he wants to separate out the funding for post-secondary education from the unprecedented breaking of promises, the doubling of the health care tax, the huge increase in the debt, then maybe we could talk about it.

This year's plan, the fourth financial plan from the McGuinty Liberal government in two years, shows a huge gap in spending versus revenues.

Premier, do you think it's right that by 2007-08 you'll be adding an extra \$1 billion a year to debt interest in this province? Do you think that's the right thing to do?

**Hon. Mr. McGuinty:** Let's remember what we inherited and how far we've come in a relatively short period of time. We inherited close to a \$6-billion deficit. We have cut that nearly in half in one year. That's a sound accomplishment. We're bringing prudent and responsible financial management to the people's money. That is something they've been longing for. At the same time, we are making desperately needed investments in better schools, better health care and more opportunity for all our young people through training opportunities, college opportunities and university opportunities. We think that builds a strong foundation for a robust economy. Those are the kinds of choices we've made through the budget.

Again, the people of Ontario have perhaps at least a little bit of interest in learning where it is that Mr. Tory stands when it comes to this budget and the investments we are making for Ontarians.

**Mr. Tory:** So, as part of this so-called prudent and responsible financial management, we have the debt going up by \$15 billion over the term of your government and we have debt interest charges up \$1 billion a year by the end of the term—\$1 billion that will not be available for health care and education and all the things you talked about. On top of all that, every single Ontarian will pay twice as much money in health taxes this year, thanks to you, as they did last year. You know how to tax and you know how to spend and you know how to borrow, but you don't know how to save any money.

My question is this: Will you commit to tabling, right here, right now, the specific details of the so-called list of savings of \$330 million referred to in this House many times by your Minister of Finance so we can see if there are really any savings at all, or don't you know how to save any money?

**Hon. Mr. McGuinty:** It's passing strange and a little bit rich that the leader of the official opposition, belonging to a party that added \$48 billion to the debt in a time of strong economic growth, is now condemning us for trying to clean up their mess at the same time as we make desperately needed investments in better public services.

We're proud of the choices we are making, I say again, but it's really hard to try to figure out where the

leader of the official opposition is coming from on these things. He tells us that we should spend more and that we should spend less, that we should balance the budget and that we should balance it sooner but not right now, and that we should cut taxes notwithstanding the fact that we're running a deficit. That's how we ended up in the mess we find ourselves in. We will not go down that road again. We will bring strong and responsible financial management to the people's money and we will make investments in better public services for all Ontarians.

### HOSPITAL FUNDING

**Mr. John Tory (Leader of the Opposition):** This question is for the Premier. It's obvious now that there is no list of \$330 million in savings, no list whatsoever. It's obvious there's no plan; it's obvious there's no interest in helping beleaguered taxpayers; just borrowing and spending and taxing.

The hospitals have on their books \$330 million in deficits from the year just concluded. They will have to fund an upcoming wage settlement with nurses that could cost as much as \$100 million. When you factor out one-time money and capital spending, your government has provided hospitals with a 1% funding increase this year. That's according to the Ontario Hospital Association. Will you force hospitals to cut services to balance their budgets, or will you let them run deficits this year? Which is it?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Better hang on, because we're all going to suffer from whiplash here. This leader of the official opposition, a moment ago, was accusing us of spending too much money, running up deficits and adding to the debt over a long-term basis. Now he's telling us that we're not spending enough on the hospitals. That's why the people of Ontario are frustrated in trying to figure out exactly where the leader of the official opposition stands on these issues. We are very clear where we stand: We're for cleaning up their mess and investing in better public services.

**Mr. Tory:** The fact of the matter is I told the Premier no such thing. I simply asked you a question. I asked you a question, and I'll ask it again, and the question—

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. I'm having difficulty hearing the leader of the official opposition.

**Mr. Tory:** The question I asked was very simple. I made no statement of any kind whatsoever. What I asked was a question: In light of the fact that you have allocated this 1% increase to the hospitals of Ontario, and in light of the fact that they have said this is not going to be enough to cover the pressures they're facing, therefore, would you want them to be running deficits this year, or are you wanting them to cut services? You've left them with no other choice. I simply wanted to know, as I do now and I ask you again, which of the two choices is it:

Let them run a deficit this year, or have them cut services? Which will it be?

1450

**Hon. Mr. McGuinty:** Again, we are investing half a billion new dollars in our hospitals this year through this budget. My friend opposite wants to take \$2.4 billion out of our health care system. So I fail to understand the philosophical foundation on which he presumes to stand when it comes to making these kinds of arguments.

We will continue to work with Ontario hospitals. More than 60% have now put themselves in a balanced budget position. We have worked with our hospitals in the past; we will work with them into the future. We are providing a significant increase in funding, and we will find a way to balance those budgets so that we do not compromise the quality of services we're delivering to Ontarians.

**Mr. Tory:** Of course, the Premier knows I have made absolutely no such statement whatsoever. He knows that. What I have said, just for example, is that I would look for real savings and efficiencies in this government, and unlike the Minister of Finance, when I said I found \$330 million or \$450 million or \$650 million in savings and efficiencies in the government, I would come in with an actual list of dates, times and places, unlike this back-end-loaded bafflebagg that is in the budget today. I talked about it in my speech.

Let me just try one more time on the question. If, as the Ontario Hospital Association says, you are giving them 1%—maybe I'll let you get the answer from the Minister of Health here—and that's not enough, I simply want to know, are you going to let them run deficits and encourage them to do that, or are you going to tell them they should cut services? Which choice are you putting them in the position of making? Which one are you approving?

**Hon. Mr. McGuinty:** The leader of the official opposition may be dismissive of a half-billion-dollar increase in hospital funding, but we happen to believe that is very significant, and that's in addition to the hundreds of millions of new dollars in last year's budget.

As I said, we are also working with our hospitals to ensure they can manage this new funding increase. More than 60% of our hospitals have already found a way to balance their budgets in a way that does not compromise the care they are offering to their patients. Beyond that, I am proud to say that, for the first time, we will shortly be announcing the exact figures on a per-hospital basis, and I can say we are also putting in place, for the first time, multi-year funding, which our hospital administrators have been looking for for a long time.

So hospital funding is going up in Ontario. We have a government that is committed to working with our hospitals on an individual basis so that we can do this in a way that does not compromise quality of care, and more than that, we are providing multi-year funding. This is good news for Ontario hospitals and Ontario families.



## CHILDREN WITH SPECIAL NEEDS

**Ms. Shelley Martel (Nickel Belt):** My question is to the Minister of Children and Youth Services. The courts ruled on Friday that a class-action suit involving parents with children with special needs can go forward. These families allege that the government violates section 30 of the Child and Family Services Act by refusing to enter into special-needs agreements with them to provide the care their children need, and instead forces them to give up custody of the children in order to get the treatment their children require. Minister, can you confirm today that the government will not appeal this decision, will not drag these parents through court, and instead will sit down with the families and negotiate a settlement of their concerns?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** The Attorney General.

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I'm happy, in any supplementary on the specifics of what our government is actually doing to improve conditions for special-needs children, to refer to the Minister of Children and Youth Services.

I'll just say that, with respect to the member's question regarding the finding by the court allowing the plaintiff's appeal to certify the action, we are still in a period where we are reviewing the decision and determining whether or not to seek leave to appeal. As long as we are in that time—obviously I can't comment on the matter before the court—I will say to the member that, on the subject of settlement issues and negotiations and so on, it has never been the practice of any Attorney General in this province or any officials in the Ministry of the Attorney General to discuss those kinds of things, because all it ends up doing, really, is prejudicing all the litigants involved, and we don't want to do that.

So the matter is before the courts. The appeal is before the courts. An action was brought by some individuals against the government of Ontario, and I'll continue to exercise independent judgment to determine what is in the interest of this action. In the interim, I'm happy to refer questions to the Minister of Children and Youth Services.

**Ms. Martel:** My supplementary is to the Minister of Children and Youth Services. I wonder when you're going to start taking the interests of the families and these kids into account and making that a priority. You see, if you really wanted to help these families, you would announce today that you are not going to appeal the court decision and that you are going to sit down with these families and negotiate a settlement to their concerns.

Since 1997, when the former government unilaterally decided not to enter into special-needs agreements, families have been forced to go to children's aid and give up temporarily or permanently the custody of their children just to get the care they need. Your government has also refused to enter into special-needs agreements, and

under your government, families have also been forced to do the unthinkable: give up custody of their kids just to get the special care they need.

Minister, you could end this situation today by saying you will respect the law, you will enter into special-needs agreements and you will ensure that these families get the services they need without giving up custody. Will you do that today?

**Hon. Mr. Bryant:** That's not a question with litigation, so I'll refer it back to the Minister of Children and Youth Services.

**Hon. Mrs. Bountrogianni:** I obviously can't comment on the appeal, but I can say what we will be doing for these children. I welcome the honourable member's concern. I know this has been very frustrating for the families. This is a situation that we inherited. The Ombudsman, as you know, sent me a report last week—

*Interjections.*

**Hon. Mrs. Bountrogianni:** The member for Nepean-Carleton is heckling me, when it was his government that cut funding to children's programs, which is part of the cause of this problem. If he will allow me to, I will answer the other honourable member's question.

By the end of the week, I will be responding to the Ombudsman's report. In the meantime, even before we received the Ombudsman's report, we had begun to work on this file. It's very complicated. Child protection is at stake, as well as special-needs children. I will be responding by the end of the week to the Ombudsman.

**Ms. Martel:** Minister, you could respond today. And with respect to your saying that this is a situation you inherited, I need to remind you that your government as well has refused to enter into special-needs agreements, and your government, as well as a former Conservative government, has forced families to give up custody of their children to get the special care they deserve. It's not just a problem that you inherited; it's a problem that you have reinforced.

I say to the minister again, if you care about these families, don't wait until Friday. Announce today that you will respect section 30 of the Family and Child Services Act, that you will enter into special-needs agreements with the families so that the children can get the care they need, and you will do that so that these parents are not forced to give up custody just to get the care they need. Will you do that on behalf of your government today, Minister?

**Hon. Mrs. Bountrogianni:** As the Attorney General stated, I can't comment on these particular families and this particular case, but I will say that a solution to this complicated problem will be forthcoming very soon in my response to the Ombudsman's report.

## POLICE OFFICERS

**Mr. Peter Kormos (Niagara Centre):** To the Premier: How many new police officers has your government funded since your announcement in October last year?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the minister, Speaker.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I'm pleased to respond. What we have done is carried out and extended the community policing program, which funds 1,000 police officers. We've done that, and it's \$30 million a year. We've made a commitment for another 1,000 police officers, that commitment will stand, and in due course you will hear how that will work.

**Mr. Kormos:** Minister, we would like to hear numbers, because you and your government are like the Wizard of Oz when it comes to community safety: When you pull back the drapes, there's nothing there.

You've told cash-strapped municipalities to hire 1,000 new cops, and you are going to pay a meagre fraction of the price of doing that. Those cities can't afford to keep your promises for you. How many of the 1,000 new officers that you promised will be on the street by the end of this year?

1500

**Hon. Mr. Kwinter:** We have actually committed to provide the shared cost of 1,000 police officers. We will deliver those during the term of our mandate. That was in our platform and that is what we will deliver. I can tell you that we are working with various community leaders, we are working with the stakeholders, to come up with the formula. We will be making that announcement in due course.

**Mr. Kormos:** We know what your promises are, and we know that, rather than delivering on the promises, you've merely broken them. Your ministry budget has been flat-lined, Minister. There's no new money. That means that the 1,000 new cops that you promised aren't going to be hired. We need those police across this province, in communities big and small, to deal with dangerous offenders, guns, gangs, and to improve community safety.

It's your ministry that was flatlined. Why are you breaking your promise to improve community safety?

**Hon. Mr. Kwinter:** For the member to say that we have broken our promise doesn't make any sense. If you take a look at the budget you will see that the Ministry of Community Safety and Correctional Services got an increase of \$27 million year-over-year. You will also know—and I'm sure you recognize—that we made a promise to fund firefighters. We did that, for \$30 million. We made the announcement one week, and the next week the money was delivered. It was the first time since 1982 that any government has provided funding. Not only that: When they did provide funding, they never delivered.

We made the commitment, and we did deliver. We made the commitment on the 1,000 officers, and we will deliver.

## HOSPITAL FUNDING

**Mr. John O'Toole (Durham):** My question is for the Minister of Health. Minister, hospitals are now preparing to cut nurses and other health care providers because of your recent budget. The OHA has said that they'll be cutting core patient services and eliminating 4,000 nursing and essential medical staff.

In my riding of Durham, the Lakeridge Health system is struggling from last year's cuts in funding from you. This year they're facing even less—less than 1% of their budget while their operating cost pressures are 7% to 8%. You should know that. This is not to mention that the 905 residents are already underfunded by \$544 million, less than the rest of the provincial average. Minister, can you make—no false promises; I just want you to tell us straight up that no nurses will be fired and no essential services will be cut from the hospitals in Durham region.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** The member who himself spikes the question asks for the information straight up. Well, I'll give it to him. The reality is that there is but one party represented in this Legislature that does not have in its history, in its legacy, cuts to hospitals. That is our party. In two years of government, Lakeridge Health has received more than \$13 million in additional funding. In the first two years of that party's responsibility for the provision of health care services, Lakeridge Health's operating baseline budget was cut by \$13 million. That is the reality.

I'm happy to tell the honourable member, building on the excellent answer that the Premier provided earlier, that very soon the very high-quality leadership of Lakeridge Health will receive, from our government, notice not only of this year's allocation, which recognizes growth for the 905, but also two subsequent years of allocation, delivering on our government's commitment of stable multi-year funding—the first party in this House to deliver on that commitment—

**The Speaker (Hon. Alvin Curling):** Thank you. Supplementary, the member from Oshawa.

**Mr. Jerry J. Ouellette (Oshawa):** Minister, I need to bring forward another major challenge facing Lakeridge Health. The ministry's funding formula still does not recognize the financial challenges and needs associated with multi-site facilities. As pointed out, Lakeridge has saved \$15 million. It's doing its very best to balance its budget. Minister, what steps are you taking to recognize and correct the funding for multi-site facilities such as Lakeridge Health?

**Hon. Mr. Smitherman:** I appreciate the support and the long-standing commitment that this honourable member has shown to the issue of multi-site funding. We recognize that in many of our hospital corporations in the province of Ontario there is more than one site operating. Our government, as far as I know, was the first, in financing last year, that actually provided resources to hospitals in recognition of the special reality of multi-site. This is something that I continue to push for. I'm glad to



see that it's a position of your party, and I would ask for your continued work in putting pressure on organizations that help to shape the funding formula in the province of Ontario, because as much as I think it's important to continue to work on the issue of multi-site, there is not a consensus on this point, and some people in the hospital environment continue to push for the flexibility that exists if you're not targeting funding. But I believe that these multi-sites, often the smaller of these, are incredibly important and well connected in their communities, in places like Port Perry and Picton, and I'll continue to be a supporter of recognition of the multi-site reality.

### FOREST INDUSTRY

**Mr. Gilles Bisson (Timmins-James Bay):** My question is to the Premier. You know that the forestry industry in northern Ontario is in crisis as we speak. We've already got mills that have closed down and other mills that are scheduled to close over the next short while, and we have, as you know, a significant problem in the industry. My leader in this Legislature has been raising with you a number of times the need to put in place a forestry strategy to help reposition the industry, in order to protect the good-paying jobs that industry provides.

Yesterday, Jamie Lim, President and CEO of the Ontario Forest Industries Association, put out a press release that I want to quote: "There are 12 forest industry mills identified as being at risk in northern Ontario, and, should they close, the impacts on the entire province, including southern Ontario, will be significantly harsh. 'We need assistance from this government now. The forest industry is in crisis and the loss of our industry is a loss for the entire province'" she said.

Premier, when can we expect you work with us in northern Ontario to develop a forestry strategy to help secure those jobs in northern Ontario?

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The Minister of Natural Resources.

**Hon. David Ramsay (Minister of Natural Resources):** As the honourable member knows, I have received an interim report from my competitive sector committee, and in that, there are some terrific recommendations as to how the government can step up to the plate and help the industry. I think the member is aware of the announcement of the one plant in Ontario but also the many plants that are closed in Quebec as of today. This is a national problem, but we are working on it at the provincial level. I'm working on that with my colleagues, and soon we'll have what the member wants.

**Mr. Bisson:** Premier, I'm not here to represent the province of Quebec; I'm here to talk about what's happening now in Ontario. We went through this back in the early 1990s, when pulp and paper mills and sawmills across this province were in deep trouble. Our government stepped up to the plate, and we worked with communities—Kapuskasing, Sault Ste. Marie, Thunder Bay,

Atikokan and many others—in order to safeguard that employment. You have now been at the helm for almost two years, and all we've got is basically this dog-and-pony show you've been travelling around northern Ontario, which has yet to do anything concrete to help those mills.

I ask you again: Rather than being part of the problem and closing down mills like you have in Opasatika, will you work with us to put in place what's necessary in order to safeguard the jobs in that very important industry?

**Hon. Mr. Ramsay:** I would say to the member that he should be the last one to boast about his government's record when it comes to forestry. There were thousands of jobs lost in that sector right across the north. My colleague the Minister of Northern Development and Mines reminds me that 11,000 jobs were lost. We don't have that.

I say to the member that he should know we're working not only with the industry; we're working with labour, we're working with communities and we're working with the First Nations of the north so we can come up with a comprehensive plan. We have that comprehensive plan, and I say to the member, it's coming and the industry is going to be very happy with what they're going to see.

### FEDERAL MEMBER

**Ms. Kathleen O. Wynne (Don Valley West):** My question is for the Minister of Finance. Today we learned that former Conservative leadership candidate Belinda Stronach has crossed the floor. She has now joined the federal Liberal government, and will be serving in cabinet. Minister, our Premier has been leading the campaign to narrow the \$23-billion gap for some time. He has gained the support of all parties in this House, of our hospitals, our chambers of commerce, boards of trade and average Ontarians. As we move forward with our campaign for fairness, can you tell us how Belinda Stronach's new position will help Ontario narrow that gap?

**Hon. Greg Sorbara (Minister of Finance):** I can tell my friend from Don Valley West that although it's only a matter of two or three metres—the aisle that divides one political party from another in a place like this Legislature or the House of Commons—it takes a great deal of political courage to cross the floor and join another party, and it's not without risks.

1510

In my view, the good news here is that Ms. Stronach is very aware of the extent to which Ontario is at a disadvantage, as a result of the \$23-billion gap, which is the difference between the funding that Ontario pays to the federal government and receives back in services. I'm of the view that she will be a very strong advocate for Ontario on this matter.

**Ms. Wynne:** I agree with you, Minister. I think it's great to have such a strong advocate for narrowing the gap at the cabinet table.

I was surprised to hear the comments of the member for Leeds–Grenville on this issue. When the going got tough, I understand that he resorted to offensive and sexist comments. This is not a small thing in a society where women still have to struggle to increase representation in boardrooms and in our—

**The Speaker (Hon. Alvin Curling):** Order.

**Mr. Tim Hudak (Erie–Lincoln):** On a point of order, Mr. Speaker: Surely the member from Don Valley West doesn't have to descend to this kind of level to get into cabinet.

**The Speaker:** Order.

**Ms. Wynne:** Any comment that diminishes women and diminishes politicians who aspire to represent women in Parliament diminishes the whole office.

**Mr. Hudak:** On a point of order, Mr. Speaker: I'll ask you to rule whether this question is in order and if it has to do with parliamentary matters or matters with respect to the ministry. I suggest that this kind of question is not in order.

**The Speaker:** I didn't find anything out of order with the question that is coming forward.

The member from Don Valley West, you've got 10 seconds to wrap this up.

**Ms. Wynne:** I'd like the Minister of Finance to comment on the comments by the member for Leeds–Grenville, because it's a critical piece of our going forward that respect for all members of Parliament be shown by this House.

**Mr. John R. Baird (Nepean–Carleton):** On a point of order, Mr. Speaker: Questions are to be addressed with respect to a responsibility of the member of the executive council, not to solicit their personal views.

I also would note to you on page 20 of the standing orders, standing order numbers 23(h) and 23(i) state that the Speaker shall call the member to order if they make "allegations against another member" or impute "false or unwavering motives to another member."

I'd like to ask you to rule on those three standing orders, Speaker, and whether this actually has to do with the conduct of the ministry that is governed by the minister opposite.

**The Speaker:** You asked me before about the same point of order you're speaking on, and I've ruled on that before. I find the question quite appropriate.

Minister?

**Hon. Mr. Sorbara:** I think my colleague the minister responsible for women's issues wants to comment.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Mr. Speaker, I think I will speak for most members in this House in answer to that question. The member from Leeds–Grenville was way out of line in that kind of discussion this afternoon. I think everyone in this House is going to agree to unanimous consent for an apology in this House. Every single woman is diminished

when we hear that kind of language. The truth is that that particular member well knows that MP to be bright and intelligent and, thankfully, now in our party.

So let me just say that what it points to more is this: It speaks more to the leadership of the Conservative Party. I am demanding from the leader of the Conservative Party—

*Interjections.*

**The Speaker:** Thank you. Order.

**Mr. Frank Klees (Oak Ridges):** On a point of order, Mr. Speaker: I would now ask you to rule on the content of the minister's response where she calls, in this House, into question the honour of an honourable member. I ask that you consult with the table on this issue. It is very serious, and if you allow that kind of comment to be made in this House by one member against another member, this place no longer deserves to be called an honourable place. Please, Speaker, I ask you to rule on that.

**Hon. Ms. Pupatello:** On the same point of order, Mr. Speaker: I would like to ask the House for unanimous consent to allow a member to apologize to the House.

*Interjections.*

**The Speaker:** Order. Let's quiet down a bit.

*Interjections.*

**The Speaker:** I'd like some order in the House.

We'll take a five-minute break.

*The House recessed from 1518 to 1523.*

**The Speaker (Hon. Alvin Curling):** Please be seated.

*Interjections.*

**The Speaker:** Order. I'd like the members to show some respect to the Parliament too, as I speak on this matter.

I have been having great concern over a couple of days about the decorum and some of the questions that are being put that are not really relevant, sometimes, to the minister, and some questions are put to ministers that are not relevant in his or her category. And I want to warn members that the tone itself has not been very good.

Also, as I listened to the questions today, and I reflect back on what was said in this last question, I think it was inappropriate, in a way, to have directed a question and to have some concern about a member and some statement outside of the House, of which I have no knowledge and cannot rule on. I think that that comment is a bit out of order. We must be cautious about that, when we talk about other members making statements outside of this House and bringing it inside this House.

At the same time, I've also watched as questions of the same nature come from the opposition side. But today it has accelerated to a point that we must be more concerned and give more concern to the discipline of this Parliament. When that goes down, we all go down, in a sense, as to how the public sees us. I would ask and beseech you all that you conduct yourselves in such a manner that we can call this a Parliament we can respect.

At this time, since I've got the floor, I would also say to many of the ministers that I expect some sort of concern and some discipline in the way they listen, with the heckling that goes on even by ministers themselves



when questions are being asked. I would ask you also to watch yourselves in that nature.

I'm going to move on to the next question. The leader of the official opposition.

### COMMITTEE SCHEDULE

**Mr. John Tory (Leader of the Opposition):** I have a question for the Premier. As the Premier will know, I sent across a letter to him at the beginning of proceedings today when he came into the House which asked him to consult with his colleagues and allow for a real opportunity for the Information and Privacy Commissioner to fully state her concerns regarding Bill 183, the adoption disclosure legislation currently before the committee.

As the Premier knows, the committee to which this bill has been referred, a committee that the Liberal government members control, has only allowed her 15 minutes to make her presentation, plus five minutes—I believe I'm right—for each party to ask questions of her. I think the Premier would also know that Ms. Cavoukian has very serious concerns about the bill and has received volumes of correspondence from concerned people on both sides of the debate.

I've requested in my letter and I ask you now, are you willing to allow Ms. Cavoukian to have a total time of 120 minutes for her presentation and questions? I think I suggested 90 minutes for her presentation and 30 minutes for questions, divided between parties. Could you help us to make sure this happens, so the voices of people who have communicated with her can be heard?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I'm going to allow my House leader to speak to this because he has more information.

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** The committee time allocations were outlined and agreed to at subcommittee and then at full committee. Now, we are always prepared to negotiate these and other items. We're quite prepared to do that at House leaders' meetings, as we always have. I will, however, remind the House that all three caucuses agreed to the times that were set up, the amount of time for delegations. I would welcome this representation to be made at a House leaders' meeting. We can discuss that in the context of a number of legislative initiatives.

Those hearings were sent to committee. Committee hearings have been held on all our bills, something that didn't happen up until 2003, and we haven't had to use time allocation. So I would suggest that if it is the desire of the opposition to discuss this at greater length, we can certainly talk about this issue in the context of a House leaders' meeting.

**Mr. Tory:** The matter here is complicated because there were two different subcommittee reports. Actually, I voted in favour of the bill on second reading, as the Premier and every other member of this House knows. But I think it is important that on a matter like this, where someone in a position of responsibility like the privacy commissioner has expressed some concern and has letters

from—I won't say thousands—many people across the province who find it difficult to appear in front of a committee, their voice should be heard.

I gather there were two different subcommittee discussions, one of which the government members voted down, to allow for a longer period of time to have some proper notice so people could come in and be heard. All I'm asking today is whether the Premier would agree that a 15-minute time period allocated to the privacy commissioner to represent all these people is inadequate, and that we might simply give her a total of two hours: 90 minutes to make her presentation and half an hour for questions? That's all I'm asking. Yes or no?

**Hon. Mr. Duncan:** I understand the challenge the Leader of the Opposition has with his divided caucus on this issue. I'll remind him that his caucus wouldn't even allow the minister to speak to this bill at this committee. So to the leader of the official opposition, this government has had more hearings on more bills than any government. We'll be happy to discuss this issue at the House leaders' meeting. The commissioner has been heard already, and we look forward to the opportunity to have her back to the hearings as well to discuss this bill.

**Mr. Ted Arnott (Waterloo-Wellington):** On a point of order, Mr. Speaker: The House leader has offered the House completely erroneous information. He is completely—

**The Speaker (Hon. Alvin Curling):** Order. You made some unparliamentary comment, and I would ask you to withdraw that.

**Mr. Arnott:** I made no unparliamentary remark, Mr. Speaker.

*Interjections.*

**The Speaker:** Order. We know the procedures here. And I'm sure you also know the procedure, too.

1530

**Mr. Arnott:** I do indeed, Mr. Speaker, and I show no disrespect to you by saying that the minister has offered the House completely erroneous—

**The Speaker:** Order. I'll have to ask you if you choose to withdraw it or not.

**Mr. John R. Baird (Nepean-Carleton):** Point of order.

**The Speaker:** Order. I have a point of order on the—you're always doing this, member from Nepean-Carleton. I'm dealing with a point of order here.

*Interjections.*

**The Speaker:** Order. Order. If you all want to run the clock, that's fine. Minister, would you come to order, please.

You do intend to withdraw?

**Mr. Arnott:** Mr. Speaker, I wish to show you absolutely no disrespect because of the high regard I hold you—

**The Speaker:** You know the rules. I don't need a speech.

*Interjection.*

**The Speaker:** I will regard that as a withdrawal. New question.

## LANDFILL

**Ms. Andrea Horwath (Hamilton East):** I have a question for the Minister of the Environment. It's about an excavation that's taking place at the Rennie landfill site in Hamilton.

Your Hamilton staff assured the CLC, the community liaison committee, that your ministry is testing materials that are going to the Taro landfill. The Taro certificate of approval forbids domestic waste, as you may be aware, but we've learned that excavated material from the Rennie Street dump contains domestic waste like old newspapers, old shoes, bottles of pickles, those kinds of things.

Minister, is your ministry allowing Taro to accept this prohibited domestic waste from Rennie? Further, at Taro, is the Ministry of the Environment inspecting every load of waste that's coming from the Rennie Street dump? If so, will you release all test results to prove there is no illegal dumping occurring at Taro?

**Hon. Leona Dombrowsky (Minister of the Environment):** I thank the honourable member for the question. Certainly the Ministry of the Environment does prescribe, under the certificate of approval, specific conditions that must be followed. I would say that today, the best information that the Ministry of the Environment has is that the appropriate conditions are being met. If the honourable member has information to the contrary, I would welcome her to send that to me directly. I will meet with her after this session here this afternoon.

I think it's important to say to this House that the Ministry of the Environment wants to ensure that people in the community are protected. That is why we are working with the community liaison committee. That's why we've established a community liaison committee. We take their issues very seriously, and I've indicated that I would be prepared to receive any new information that the honourable member might send to me.

**Ms. Horwath:** Thank you, Madam Minister, but the information is not new. In fact, the CLC has been hearing about it for quite some time now. I first asked you about this myself back in October 2004, and you've done nothing. As a result, the controversial Taro landfill site has once again become a major concern to the citizens of Hamilton.

Minister, bottles of blood were found at the Rennie Street landfill, and as a result, the police had to be called, but you have been invisible from the beginning in this process. Will you at least come to the table now? Will you finally investigate the Rennie excavation and the possibility of illegal dumping at the Taro site and provide the Rennie community liaison committee with all of the test results and a full report, or do you not care at all if the Taro landfill is causing deep concern in Hamilton? Who do you think needs to be putting these rules in force? It's your responsibility. The information is out there. It's not new; it's been told at the CLC, week after week. Will you do something about the illegal dumping in Taro, if it exists?

**Hon. Leona Dombrowsky (Minister of the Environment):** For the honourable member to suggest that this minister and this ministry have done nothing—I would like to remind the honourable member that I have met with these people, with her present in the room. We have talked about the responsibility the Ministry of the Environment has. We have a community liaison committee. Staff from the Ministry of the Environment continue to work with community representatives.

I don't doubt that members of the community bring information forward. Ministry of the Environment staff have a responsibility to pursue that. I would suggest that Ministry of the Environment staff are doing what they are required to do to ensure that the conditions of this activity are being met, and being met safely. Again, I say to the honourable member that if she has concrete evidence to the contrary, she should bring that to me directly, and I commit to her that I will pursue that personally.

## ACCESSIBILITY FOR THE DISABLED

**Ms. Jennifer F. Mossop (Stoney Creek):** My question is for the Minister of Citizenship and Immigration. Last week, this Legislature took an historic step forward with unanimous approval in this House to pass the Accessibility for Ontarians with Disabilities Act. This legislation will have a profound impact on 1.5 million people in Ontario and their families. Minister, could you please explain for us why this act and its passing will make Ontario a world leader for people with disabilities?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I'd like to thank the honourable member for the question. I was extremely proud of all my colleagues on both sides of the House last week, when we unanimously passed the Accessibility for Ontarians with Disabilities Act. That alone made such a difference to people with disabilities in this province, the people we invited here that day to listen to and watch the proceedings. This legislation will create an accessible society where every Ontarian will fulfill their potential.

As the member indicated in the question, Ontario will be one of the world leaders in improving accessibility for people with disabilities. This act is very significant because of its approach. It's built on collaboration, on the standards being developed with business, with the disability community, with government. We will see action in five years or less, and those standards will also be enforceable. In other words, if business or the public sector does not comply, there will be fines.

**Ms. Mossop:** There is one area we need to clarify. Critics were saying that business would not go along with this, that they would push back. In fact, especially in my region, Dofasco has been a real leader in accessibility. What impact will this have on business, because it can be costly to bring things up to standard?

**Hon. Mrs. Bountrogianni:** Yes, a lot of people were saying that business would not go for this, but I'm



honoured to say business actually stepped up to the plate—and we're very proud of Hamilton. Leaders in Hamilton, like Dofasco, were crucial in the development of this legislation, along with people with disabilities. We had the first-ever in Canada formal meeting between people with disabilities and business at a round table about a year and a half ago. There was 95% agreement on virtually every issue. People with disabilities understood the importance of business; people in business understood the human rights of people with disabilities. It was amazing to see what you can do if you do it the right way.

With an aging population, 20 years from now, one in five Ontarians is likely to be a person with a disability. Right now, people with disabilities have \$25 billion a year in spending power. Imagine the potential for business, which of course would increase the tax base, which is good for programs for people in Ontario. This is a win-win all around for people with disabilities, for business and for government.

#### INFRASTRUCTURE PROGRAM FUNDING

**Mrs. Julia Munro (York North):** My question is to the Minister of Public Infrastructure Renewal. I noted with some surprise in the budget that you are now including a role for the private sector in your infrastructure spending. This came as a shock, given your position in the election. Dalton McGuinty said in the middle of the campaign that public-private partnerships were a waste of money. Since you promised one thing before the election and then did the exact opposite after the election, how will you persuade business to trust you when you keep changing your position?

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** Nothing of the sort has happened. In fact, the Premier said we would bring into the public realm the former government's attempts to make private hospitals, which is precisely what we've done. In fact, hospitals, schools and our water systems, under our proposals, will always remain in public hands. The most important thing, and I would really bring this home to the member opposite, is that our valuable public assets must always remain under public control. That was the real flaw in the previous government's fire sale of Highway 407, where the government does own the rights of way on Highway 407, but we have completely lost control of a vital piece of infrastructure, to the point where Ontarians in her riding are being gouged exorbitant rates because of a government which has sold out the users, which has sold out the owners, the people of Ontario. We have taken a principle-based approach to getting the critical investment that we need in public infrastructure, and I would ask and encourage the member to join with us to realize that kind of investment.

1540

**Mrs. Munro:** Ontarians want to know that they can trust their leaders to keep their word. Dalton McGuinty very publicly opposed private funding of infrastructure

before the election. However, now the Minister of Finance has said in his speech that using private money to help finance public projects is an idea whose time has come. Your new name for this is alternative finance and procurement, which you said in a speech is "a technique for encouraging investment by the private sector in public facilities." Minister, why did you change your mind?

**Hon. Mr. Caplan:** I'm curious that the member is now opposed to seeking private investment in public infrastructure. In fact, the member would be aware that back in July, I issued a government policy paper called Building a Better Tomorrow. It outlines five key principles under which we will gain the necessary investments in our infrastructure. I want you to know that public interest will be paramount, that we will get appropriate value for dollars and have the kind of accountability that the previous government lacked. I could go on with the others: appropriate public control and ownership, and fair, open and transparent processes. But one of the great stories of our budget was a \$30-billion total investment in infrastructure that had been lacking under both previous governments.

We reject the debt-laden method of the third party. We reject the privatization method of your government, I say to the member opposite. There's a third way, there's a better way, a way that will gain the necessary investment that we desperately need in our infrastructure. I encourage you and other members—

**The Speaker (Hon. Alvin Curling):** New question.

#### REFINERY CLOSURE

**Ms. Shelley Martel (Nickel Belt):** Premier, last Thursday Inco told its employees at the copper refinery that they were close to finalizing a deal to ship raw copper out of Sudbury, to be refined in Quebec. If the deal goes through, Inco will shut down the refinery in seven months and some 160 good-paying union, management and technical support staff jobs will be lost from the community. This is an urgent situation. That is why I called your office on Friday, May 6, requesting a meeting between you, myself and representatives of the Steelworkers union to determine what you are going to do to save these jobs and the refinery. Despite calls from myself and from the Steelworkers to your office, we haven't been able to arrange a meeting yet. Premier, will you have your staff arrange a meeting as soon as possible so that we will know what you're prepared to do to stop Inco from transferring these jobs to Quebec?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the Minister of Northern Development and Mines.

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** This obviously is a very, very big concern in our community, and we as a government continue to keep the door open to meetings. We've arranged meetings, we continue to communicate with both sides, and let's set the record straight with regard to what we as a government have done. Inco has been very

clear, because of their discussion with the union, because of their interaction with our government, that there will be no layoffs if the proposed closure of the refinery goes through. In discussion with the union and in discussion with our government—I'm very, very proud to say that the collaboration between union, company and government has resulted in 125 new union jobs being created since January and 17 new staff positions being created. The reality is that the door is open to communication. We want to bring the sides together. We want to ensure—

**The Speaker (Hon. Alvin Curling):** Supplementary?

**Ms. Martel:** To the Premier, to set the record straight: If raw copper is allowed to be processed in Quebec, our community will lose 160 good-paying jobs and our community can ill afford to lose 160 good-paying jobs. StatsCan just recently reported that the community lost 800 jobs in April alone.

Back to the Premier: Inco can afford to make the necessary renovations to make the refinery more efficient. Inco made \$612 million last year. They made over \$300 million in the first quarter of 2005 alone, and \$215 million of that came out of the Ontario division, which is essentially Sudbury. Inco has the money, and Inco should be told that they're not going to be allowed to take raw copper out of our community to be refined in Quebec. Premier, I ask you again: We have asked for a meeting with you so that we can deal with this serious situation. Are you prepared to meet with myself and the Steelworkers so we can know what you are prepared to do to stop this from happening?

**Hon. Mr. Bartolucci:** Stats Canada will also tell you that the unemployment rate in Sudbury was 7.4%, which was the lowest unemployment rate in the last 15 years in Sudbury. So I think we should be very optimistic. Listen, the reality of this situation is that we are going to try to minimize any job reduction in the community. We are going to work with the union; we are going to work with the company. We will bring collaboration to this issue. We want to ensure we maximize new job creation. We look not only at the short-term situation, we look at the long-term situation. We want to create jobs both for the short term and the long term. We will do that by working with both sides.

#### NORTHERN ONTARIO DEVELOPMENT

**Mr. David Oraziotti (Sault Ste. Marie):** My question is to the Minister of Northern Development and Mines. As you know, infrastructure is vitally important to northern Ontario and to my community of Sault Ste. Marie. Under both former governments, we experienced devastating cuts to infrastructure spending and programs in northern Ontario, particularly to our northern highways. The previous government made announcements about four-laning highways, but did nothing. We know there's a big difference between a Conservative IOU and a Liberal bank deposit. Minister, please elaborate on what our government is doing to improve infrastructure

in northern Ontario and what is different about our government's plan for northern Ontario highways.

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** The member from Sault Ste. Marie asks a very important question. This government this year will invest \$485 million in northern infrastructure, including an unprecedented investment of \$297 million in northern roads rehabilitation and expansion. Never in the history of our province has this much money been committed to northern roads by any government. I'm also pleased to announce that finally we have a plan and the dollars for completing the four-laning of Highway 69. My colleague has asked about a very important distinction between former governments and the McGuinty government: The reality is, we're about action and they're about rhetoric.

**Mr. Oraziotti:** Thank you for the response. This is very good news for northerners, but my constituents are also concerned about other infrastructure projects and jobs in Sault Ste. Marie. We've seen the benefits of our northern prosperity plan in important projects in Sault Ste. Marie such as the new Flakeboard plant, the new Sutherland Group centre, the Gateway project and the boardwalk project. Minister, can you reassure the constituents in my community that we'll continue to provide the tools necessary to improve northern economic prosperity?

**Hon. Mr. Bartolucci:** The member from Sault Ste. Marie has worked very hard to bring job creation to his community of Sault Ste. Marie. The budget is going to help him this year because it solidifies our government's commitment to the newly refocused northern Ontario heritage fund, with an annual contribution of \$60 million. This represents the largest annual commitment to the north, through the northern Ontario heritage fund. In addition to this significant contribution, in 2005-06 the Northern Ontario Heritage Fund Corp. will get an additional \$55 million for commitments made under the old mandate. In addition to this, the Northern Ontario Grow Bonds Corp. will invest approximately \$13 million from the successful sale of grow bonds. We have laid the foundation for positive growth in northern Ontario.

1550

#### COMMITTEE SCHEDULE

**Mr. Ted Arnott (Waterloo-Wellington):** My question is to the Premier, and it concerns Bill 183, the adoption bill. Last Tuesday, the subcommittee of the standing committee on social policy met to discuss how this bill would be handled, and the subcommittee developed a report that would have been recommended back to the full committee. It would have allowed for a full public process, including advertising of the fact that the committee hearings were taking place so as to allow people who are interested in this bill to have an opportunity to come forward and speak to it.

On May 12, two days later, another subcommittee meeting was called. At this subcommittee meeting, the



member for Don Valley West brought forward new government marching orders to compress the time frame for the hearings considerably from the previous subcommittee's tentative decision and to ensure that there would not be advertising of this bill.

My question to the Premier is this: Is he willing to use his influence as the head of government to ensure that there is a suitable public process on this bill, so that everyone who has an interest in this bill is informed of it and is given an opportunity to present at the public hearings?

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** This is a matter for the House leader.

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** As I indicated in my response to the member's first question, we will certainly be happy to discuss this at the House leaders' meeting again.

I'll remind the member that in addition to the Information and Privacy Commissioner, who, I understand, is speaking this Thursday for 15 minutes, which, as I understand it, is the amount of time allocated to each delegation, certain members of the committee wouldn't allow the minister to come and speak.

So I think we should talk about this at House leaders. My hope is that we can come to an amicable resolution of this situation.

I can say this, however: This government supports this bill, this government sees the importance of this bill, this government is united on this bill, and this government will see this bill passed, regardless of whatever tricks you may try to use to stop passage of this bill.

## PETITIONS

### ONTARIO FARMERS

**Mr. Ernie Hardeman (Oxford):** I have a petition here signed by many of my constituents and constituents from neighbouring ridings. It's to the Legislative Assembly of Ontario:

"Whereas thousands of Ontario farmers have been forced to take their concerns directly to Queen's Park because of a lack of response from the Dalton McGuinty government to farm issues; and

"Whereas farming in Ontario is in crisis because of the impacts of BSE, unfair subsidies from other jurisdictions, rising costs for energy and a crushing regulatory burden on farmers; and

"Whereas current prices for farm products do not allow for sustainable agriculture in Canada, with a 10.7% decline in the number of Canadian farms reported between 1996 and 2001;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to consult with Ontario's farmers to develop a long-term strategy to ensure the viability of agriculture in our province that protects our rural way of

life, and to work in the short term to alleviate the farm income crisis and listen to the concerns of farmers about the greenbelt."

I affix my signature, as I agree with the petition.

### HALTON RECYCLING PLANT

**Mrs. Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas noxious odours from the Halton Recycling plant in Newmarket are adversely affecting the health and quality of life of residents and working people in Newmarket; and

"Whereas local families have lost the enjoyment of their properties for themselves and their children, face threats to their health and well-being, and risk a decline in the value of their homes; and

"Whereas for the 300 members of the nearby main RCMP detachment, as well as other workers in the area, the odours are making their working conditions intolerable;

"Therefore we, the undersigned, demand that the Minister of the Environment take immediate action to halt all noxious emissions and odours from the Halton Recycling plant, and take all steps necessary to force Halton Recycling to comply with environmental rules, including closing the plant if the odour problems continue."

I will affix my signature to this, as I am in complete agreement, and give it to Elizabeth.

### DRIVER PENALTIES

**Mr. Michael A. Brown (Algoma-Manitoulin):** I have a number of petitions that were collected by an organization in the constituency.

"To the Legislative Assembly of Ontario:

"Whereas there currently exists an inequity in penalties under the Highway Traffic Act whereby a driver causing death or grievous harm to another, due to unsafe turn or other act, may only see a maximum \$500 fine, and such is an inadequate penalty;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass into law the Highway Traffic Act amendment, as proposed by the Bikers Rights Organization, which calls for stiffer penalties for drivers involved in fatal accidents where their error caused the fatality."

This is signed by a number of people from Massey, Espanola, Sault Ste. Marie, Sudbury etc. They've attended my office on a number of occasions, and I have met with them on eight.

### PHYSICIAN SHORTAGE

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** "Physicians Needed in Small Ontario Communities:

"To the Legislative Assembly of Ontario:

"Our community is facing an immediate, critical situation in accessing physician services.

"While the recruitment and retention of physicians has been a concern for many years, it is now reaching crisis proportions.

"Training more physicians in Ontario is certainly the best response to this problem in the longer term. We are, however, in urgent need of support for immediate short-term solutions that will allow our community both to retain our current physicians and recruit new family doctors and specialists in seriously understaffed areas. Foreign-trained physicians may help us to respond to this need.

"Therefore we, as the residents of Haliburton-Victoria-Brock, urge you to respond to our community's and our region's critical and immediate needs. For us, this is truly a matter of life and death."

I agree with this and sign with many people from my constituency.

#### CREDIT VALLEY HOSPITAL

**Mr. Bob Delaney (Mississauga West):** I have a petition here from a number of residents of Erin Mills. It's to the Legislative Assembly of Ontario and reads as follows:

"Credit Valley Hospital Capital Improvements:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fund-raising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

I'd also like to mention one other doctor I know, and that's my sister, and wish her the best on her 50th birthday.

#### HIGHWAY 26

**Mr. Jim Wilson (Simcoe-Grey):** "To the Legislative Assembly of Ontario:

"Whereas the redevelopment of Highway 26 was approved by MPP Jim Wilson and the previous PC government in 2000; and

"Whereas a number of horrific fatalities and accidents have occurred on the old stretch of Highway 26; and

"Whereas the redevelopment of Highway 26 is critical to economic development and job creation in Simcoe-Grey;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Liberal government stop the delay of the Highway 26 redevelopment and act immediately to ensure that the project is finished on schedule, to improve safety for area residents and provide economic development opportunities and job creation in Simcoe-Grey."

Obviously, I've signed that petition and I agree with it.

#### ANTI-SMOKING LEGISLATION

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly from Chantal Murray of Derry Road in Meadowvale, and Jennifer Fyffe of Loyalist Drive in Erin Mills, Mississauga. It reads as follows:

"We, the undersigned, petition the Ontario Legislative Assembly as follows:

"Whereas some 16,000 Ontarians each year die of tobacco-related causes; and

"Whereas the inhalation of direct and second-hand tobacco smoke both lead to health hazards that can and do cause preventable death; and

"Whereas more than four out of every five Ontarians do not smoke, and this large majority desires that enclosed public places in Ontario be smoke-free at all times; and

"Whereas preventing the sale of tobacco products, especially to young people, and banning the use of tobacco products in public and gathering places of all types will lower the incidence of smoking among Ontarians, and decrease preventable deaths;

"Be it therefore resolved that the Ontario Legislative Assembly enact Bill 164, and that the Ontario Ministry of Health and Long-Term Care aggressively implement measures to restrict the sale and supply of tobacco to those under 25; that the display of tobacco products in retail settings be banned; that smoking be banned in enclosed public places or in workplaces, and banned on or near the grounds of public and private schools, hospitals and day nurseries; that designated smoking areas or rooms in public places be banned, and that penalties for violations of smoking laws be substantially increased."

I wholeheartedly agree with this petition. I've affixed my signature to it and ask Sean to carry it for me.



**The Acting Speaker (Mr. Ted Arnott):** Pursuant to standing order 30(b), it now being 4 o'clock, I am required to call orders of the day.

1600

## ORDERS OF THE DAY

### 2005 ONTARIO BUDGET

Resuming the debate adjourned on May 16, 2005, on the amendment to the motion that this House approves in general the budgetary policy of the government.

**The Acting Speaker (Mr. Ted Arnott):** The member for Nickel Belt has the floor if she chooses to continue the debate.

**Ms. Shelley Martel (Nickel Belt):** Yes, I do, Mr. Speaker. I want to deal with two other matters in the time that I have remaining. The first has to do with the lack of any strategy in the budget at all with respect to the forestry sector in northern Ontario. The best that the government could do with respect to the forestry sector was to say, "We are working on ways to strengthen the forest products sector. It's a very important industry for Ontario—it employs almost 30,000 people in the north." Well, we know that, and we know that what is happening right now is that, as a result of this government's policy of high hydro rates, many of the mills, many of the pulp and paper operations are now at risk because the hydro-electricity costs are such a critical and such a large part of their operating budgets that they are consciously making decisions to shut down and move these operations somewhere else.

It's interesting that yesterday the Ontario Forest Industries Association weighed in on this matter and repeated what my party and our leader has said for some time, that if the government can do something about the film industry, if the government can do something about casinos, if the government can do something about the auto sector, then this government can do something now about the forestry sector that is taking a beating in our part of province.

Here is what Jamie Lim, who is the CEO for Ontario Forest Industries Association, had to say about this matter yesterday: "There are 12 forest industry mills identified as being at risk in northern Ontario, and should they close"—

**Mr. John R. Baird (Nepean–Carleton):** On a point of order, Mr. Speaker: Could I get some guidance from the Chair? Is the word "erroneous" unparliamentary?

**The Acting Speaker:** It depends on the context. I return to the member for Nickel Belt.

**Ms. Martel:**—"the impact on the entire province, including southern Ontario, will be significantly harsh. 'We need the assistance of the government now. The forest industry is in crisis and the loss of our industry is a loss for the entire province,' said president and CEO of the Ontario Forest Industries Association Jamie Lim.

"Ms. Lim notes financial analysis has shown the closure of the 12 high-risk mills will result in 7,500 direct job losses in the north, 17,500 indirect job losses in the north and a further 13,000 indirect job losses in southern Ontario. 'The forest industry is second only to the automotive sector in its \$8-billion contribution to the province's balance of trade. Unquestionably, the loss of 12 mills will have severe social and economic impacts, not only on individuals, families and communities that have lost jobs, but to the province as a whole. Just consider the loss in tax revenue,' adds Lim.

"Ontario's forest industries do not want a handout, we want a hand up, and we are asking the provincial government to offer assistance, as it has for the automotive sector and the film industry," stated Lim."

I contrast the complete lack of action by the government today on this important matter with the investments that we made in the forest industry sector when we were the government. When I was chair of the northern Ontario heritage fund, we invested over \$34 million alone in a number of sawmills and forest product operations that were having a very difficult time during the recession, when many of the banks they borrowed money from were pulling out of those operations and out of those communities: over \$34 million invested in a number of small mills and small forestry operations in the province—that doesn't include the very significant investment that we made in Kapuskasing at Spruce Falls, for example, in partnership with Ontario Hydro, where we brought in worker ownership legislation so that the workers themselves could purchase that mill, and then, working with Tembec, make it profitable again; the significant investment that we made in Provincial Papers in Thunder Bay to allow that mill to restructure; the very significant investment we made in Sault Ste. Marie as well, at St. Marys Paper, when we provided the funding to allow that operation to restructure.

It was at least \$34 million for small mills in Field, Atikokan, Dubreuilville, New Liskeard, Levack, Monetville, Hearst, Manitouwadge, Upsala, Panet, Haig, Thessalon, Timmins, Bucke etc. All of those investments were made, along with very significant and substantial financial investments to allow some of the very big companies to restructure and some of those communities to be safe.

I say to the government, what are you waiting for? How many more mills do you want to close? How many more communities do you want to devastate by refusing to acknowledge that there is a serious crisis facing the forestry industry? You need to do something about that today. We did. Where are you, and how many jobs are you prepared to lose by your inaction? How many communities are you prepared to see go down the drain in northern Ontario because, 19 months into your mandate, you have done nothing to respond to these serious concerns?

As I pointed out, it's not just New Democrats who have been calling on this government to react. Yesterday the head of the Ontario Forest Industries Association made it very clear that they need help, and they need help

now. There was nothing in the budget to point out that this government is going to provide any investment, provide for any stability in this particular sector and certainly no indication of, if they were going to do something, when that might actually occur.

The last point I want to dwell on happens to be northern highways. We've had some fun looking at what is actually in the budget with respect to northern highways and what the Minister of Northern Development and Mines announced that isn't in the budget at all.

Last Thursday morning the Minister of Northern Development and Mines was in Sudbury, speaking to the Rotary Club. He said very clearly that the four-laning of Highway 69 was guaranteed, that the money was fully committed, that the money was in the 2005 budget to fully four-lane Highway 69 over the next 12 years. Well, I had a chance to review both the budget and the background budget papers, and I can tell you that there is no specific money set aside for the construction of Highway 69 at all—not in this fiscal year and certainly not in the next 12. Nowhere is there any specific reference whatsoever to a specific amount of money for the four-laning of Highway 69 this year or over the next 12.

My colleague Mr. Bisson and I put out a press release on Friday, and we said that it was completely wrong for the Minister of Northern Development and Mines to claim, as he did last Thursday, that the money for this important project is in the budget. I wish it were, but it isn't. The minister responded on the weekend by saying, "There's no question about it. This year's funding is outlined in the budget on page 76." I've got page 76 of the budget and I can tell you that nowhere on page 76, not anywhere, is there any reference at all to a specific amount of money for the four-laning of Highway 69 this year. The only thing that appears in the budget under "Plan 2005-06" is the amount of money that the government intends to spend on all highways in the province. I assume that that's what the figure is. I'll tell you again that nowhere on page 76, not anywhere, is there any type of reference to a specific amount of funding for Highway 69, certainly not this year and not for the next 12.

1610

The minister also went ahead and said, "Oh, on page 123 there is a commitment to pave the highway in 12 years." That is true. It's interesting to note that the 12-year completion date is two years longer than was promised by the Conservatives when they were in government. When the Conservatives announced it would take ten years to four-lane Highway 69, the MPP from Sudbury, now the Minister of Northern Development and Mines, was hanging from the chandeliers in this place, on and on about how this was a highway of death, that it was far too long to deal with the carnage on the highway, that it was far too long to deal with the significant safety issues. Now this minister comes forward and says his government is going to take two years longer to complete the project than the period of time he was so critical about when the Conservatives were in government.

What is happening here? How come the Minister of Northern Development and Mines was so critical of the former government for a 10-year time frame to complete the four-laning of Highway 69, and now his government comes forward with a proposal, almost two years after having been in government, to complete the highway project in 12 years?

Look, every government, ours included, allocated significant funds of money to four-lane up Highway 69. How else would we be in Parry Sound today with four-laning right through to Parry Sound? The Liberals under Peterson, the NDP under Bob Rae, the Conservatives under Ernie Eves and Mike Harris, all allocated funding for this project, as well we should have.

I assume this government is going to as well, but it is not correct, it is not true and it is not right to tell the people of Sudbury that the amount of money for Highway 69 appears in this budget, appears for this year and appears for 12 years. It does not. As I said earlier, I wish it did, but I can tell you and the people in my community and those who are watching today that it is not true to say that either on page 76 or page 123 or page 12 of the budget document that the funding amount, the actual specific amount of money for the four-laning, appears. It does not. I hope soon we will find out where the money is going to come from to complete this important project.

**The Acting Speaker:** Questions and comments?

**Mr. Khalil Ramal (London-Fanshawe):** I am honoured to stand up on the second day to speak in support of the great budget delivered last week by our government. I have been listening for the last 10 or 15 minutes to the honourable member from Nickel Belt talking about the negative side of the budget. Negativity is what she thinks the budget is all about, but I want to tell you and all the people across Ontario, I read the budget and I thought it was great news for the people of this province, because they know that we listened to them. We consulted them, we asked them, and we came back and delivered a great budget to speak to their concerns, talking about infrastructure, a great investment, about \$30 billion to rebuild the whole province of Ontario.

We talk about education. Post-secondary education means a lot to all the people in this province. As you know, our times are changing and our lives are changing, requiring from us to be well equipped with knowledge, with education. It's the only way we can achieve our goal of being a prosperous province and a prosperous nation. We have to educate our people. We have to support the colleges and universities. We have to invest a lot of money in research. That's what we did in the budget.

I know that many people in the province maybe are listening to us today and they know exactly what they are getting. They're getting good investment to look after them, to look after young people, to look after students, to look after seniors, and to look after health care. We invested big money in health care to protect our people, the vulnerable people. This government is acting. I am honoured, like many of my colleagues and many people



in the province, to work with this government and support this great budget.

**Mr. Jim Wilson (Simcoe–Grey):** I want to compliment my colleague from the NDP, Ms. Martel, the member for Nickel Belt, for her comments on the budget. First of all, I want to echo what she said with respect to Highway 69 and also to add comments about Highway 11. It's a shame. The member for Sudbury, Mr. Bartolucci, used to get up and scream and scream at us—and I was Minister of Northern Development for a number of years—about the \$1 billion we spent in northern Ontario on Highway 11 and Highway 69; a record amount of money. We actually started building those highways, as you know, starting at each end, and we were going to meet in the middle—the first time that has been done. Highway 11, for example, was one of the largest infrastructure highway projects undertaken since the 400-series highways were put in. Two of the overpasses are the longest overpasses in North America. We took enough rock out of one of the cloverleaves to fill SkyDome to the roof eight times. It was a massive project.

Mr. Bartolucci, the member for Sudbury, went around this province, as the member for Nickel Belt has said. He even had licence plate frames and bumper stickers made up, supporting 69. He had the CRASH 69 committee. He brought families down here day after day, week after week and had them in the galleries and used them as props. Now it's going to be 12 years before they're going to finish that highway. I don't know how he can ever go up to northerners again and face them.

**Mr. Robert W. Runciman (Leeds–Grenville):** He should resign.

**Mr. Wilson:** He should resign over that. It's horrible. He campaigned on it. His whole career and reputation were based on that. I don't think we can be too hard on him, because they were horrible in their treatment and disrespect for the \$1 billion that we put into northern Ontario.

Today the Minister of Transportation spends \$620 million out of his \$622-million capital budget for this year in the GTA, planting a few trees, putting up a few guardrails, repaving old roads and re-announcing things like Highway 35 and 115. There is nothing in northern Ontario in transportation, as the honourable member for Nickel Belt has pointed out. Now there is nothing for anyone outside the GTA, and just tinkering in the GTA. It's a shame. This \$30-billion proposal they have—where are the details? You're just making it up as you go along.

**Mr. Michael Prue (Beaches–East York):** It's always a pleasure to listen to my colleague from Nickel Belt. She gives specifics when governments give generalities. She does her research when promises are made which cannot possibly be kept. If you want to know whether Highway 69 is going to be built, simply listen to what she has to say; simply read your own budget. As she so rightly said, look at page 12, look at page 76, look at page 123.

When I hear the minister speak, the minister does not make those same references, nor does the Minister of Finance. They simply say, "We have a dream, and that

dream includes building Highway 69. Someday, somehow, somewhere, when we can find billions of dollars, we hope to make that dream a reality."

Today the Minister of Transportation went to the people in the GTA, mostly in the city of Toronto, and announced that he has a dream for us—not for the people of the north, but he has a dream for those in southern Ontario where the majority of the population lives and where the majority of Liberal seats are located. He has announced the expenditure of all of the funds that are earmarked in this budget. There will be nothing left over for Highway 69, unfortunately. There will be nothing left if he spends the money in the GTA.

I'm not sure he is going to do either, quite frankly, because this is a large province. There are many roads that need repairing and many bridges that need to be done. You cannot continue to make the announcements that are flowing from this government if there is no money to back it up. That's what the budget's for. That's where we look. Is the money to speak with the promises? In terms of Highway 69, in terms of all that has been outlined by my colleague from Nickel Belt, they are not there. I commend her. She is accurate; she is diligent; she knows of what she speaks. I only wish the government did too.

**Mr. Brad Duguid (Scarborough Centre):** I'm delighted to rise today in support of this budget, a budget that I think really balances the needs of Ontarians from one end of the province to the other.

I look at the investment in post-secondary education, a \$6.2-billion investment to ensure that our post-secondary education system is accessible to our students across the province, an investment to ensure that we have excellent-quality post-secondary education in Ontario. We want to do this for two reasons. We want to make sure that we give each and every young person in this province the opportunity to be as good as they possibly can, to achieve as much as they possibly can. We want to do it, as well, to ensure that we can build the strongest, most effective and most skilled workforce in the entire world. That's a goal that can be achieved if we invest properly, if we invest strategically. This is one of those strategic investments that will ensure that we can do that.

1620

I know that, in my own riding of Scarborough Centre, the students and faculty at Centennial College and, in the neighbouring riding of Scarborough East, at the University of Toronto Scarborough campus, are just ecstatic about this investment in them—an investment in their future, an investment in the institutions that really are going to help us generate the wealth that we need to create in this new economy.

We're also excited about the \$30 billion going into infrastructure to repair bridges and roads across this province and our hospitals and our schools—a very important investment in our future and in building stronger communities.

We're also excited about the investment in continuing to build on our education system—building smaller class

sizes, injecting lead teachers into the system—making sure that our education system across this province is improved.

We're also very excited and proud of the fact that we've been able to ratchet down the deficit we inherited from the Tories. We've been able to cut it in half already, and we're looking forward to being able to cut it down to zero as soon as we possibly can.

**The Acting Speaker:** The member for Nickel Belt has two minutes to reply.

**Ms. Martel:** I'd like to thank all the members for their contributions and to just reinforce the three points that I made with respect to the budget speech.

First of all, my colleagues and I are completely opposed to the government's P3 model—or AFP model, as they're now seemingly going to call it—which essentially invites the private sector in to privately finance important public investments, important public assets like schools, hospitals, sewer and water projects etc. As the Toronto Star said on May 11, there is absolutely no difference between the P3 model that was put in place by the former government for the hospitals in Brampton and Ottawa and the AFP model, as Mr. Caplan so described his scheme for private financing. It's going to cost the taxpayers more. That additional amount of money to pay for the profits of those private consortiums is money that could be better spent on operating budgets for hospitals and schools and for the development of other important public assets. We are totally opposed to the direction the government is going in with respect to private investment in infrastructure.

Secondly—I said it before and I'll say it again—where is the government? The government is missing in action when it comes to the forestry sector. It is a sector that has a generated only less than the automotive sector in terms of value in this province. It's got thousands and thousands of people in northern Ontario who are at risk of losing their jobs, and this government has been silent on what it is going to do to deal with this important sector.

Finally, I think it's worth noting that the Minister of Northern Development and Mines went to Sudbury last week and announced \$1 billion for Highway 69. He said, "You'll find that \$1 billion on page 76 of the budget." I noticed that that money is for highways for the whole province, not northern Ontario. Isn't it interesting that the Minister of Transportation today, out of that \$1 billion, announced six hundred and some million dollars for highways in southern Ontario? It was absolutely wrong for the Minister of Northern Development to go and say that the \$1 billion that appears on page 74 was for northern highways. That is not true; there is no specific commitment for the four-laning of Highway 69 at all in this budget.

**The Acting Speaker:** Further debate?

**Ms. Laurel C. Broten (Etobicoke–Lakeshore):** I'm very pleased to have a chance to spend some time discussing the budget this afternoon. I'll be sharing my time with the member for Essex.

I think that this budget speaks to the balanced approach of our government. It speaks to what we believe in and what we talked about on the doorsteps with Ontarians. We said that we wanted to improve our education system, that we wanted to reinvest in health care, that we wanted to have a province where every Ontarian, no matter where they come from or where they live, could have prosperity, and that we would balance that with good fiscal management, because good fiscal management will allow us to deliver and to continue to deliver on these key commitments.

In the time I have this afternoon, I want to hit some of the highlights of this budget and why I have been so pleased to be able to go into my community in Etobicoke–Lakeshore and talk to parents, to folks in the hospitals, to business owners and to residents in my community about what's contained in the budget.

I'm going to start with post-secondary education. I'm pleased that the Minister of Training, Colleges and Universities is here with us this afternoon, because this budget really speaks to the focus that our government has on reinvesting in our post-secondary sector. It was critical when we talked to parents and families in Ontario during the last election campaign. It was embarrassing, frankly, to see the level that this province had fallen to in terms of the money that we did not invest at the time in post-secondary education. We were at the bottom of the barrel. Post-secondary education is the ladder of opportunity. No matter where Ontarians have come from or what they want to achieve in their lives, we want to make sure they can go to college or university, that they can go through an apprenticeship program, that they can have the education that will open up the door of opportunity for them.

This budget is the largest investment in post-secondary education in 40 years. It's a 39% increase compared to base funding from 2004-05. Some \$6.2 billion will be invested in our post-secondary education sector by 2009. That is significant because during that period of time we are going to turn our province around and demonstrate true leadership in Ontario, a true desire to make sure that the doors of opportunity are open for all Ontarians.

Some of the critical components in this strategic long-term investment are to make sure that those opportunities are there, that we have Ontarians who can have better jobs because they have better skills, and that we have strong economic growth in the province.

That is one of the critical things. When I have a chance to speak to business leaders in the community, I tell them, and they agree, that this type of investment will make sure they can have workers who have the skills set they are looking for, that we can have employees who are ready for those high-skilled jobs, the knowledge-based economy that we talk about and yet never really put the investments into to ensure that Ontarians would have that for them.

To make sure these investments in the sector are available for all Ontarians, 135,000 low- and middle-income students will benefit from financial assistance. It's



significant financial assistance. We are going to continue our tuition freeze through 2005-06 and begin to work immediately with students, colleges and universities on a new tuition framework to be in place by September 2006.

We are going to offer, in co-operation with the federal government and the Canada Millennium Scholarship Foundation, new low-income tuition grants of up to \$6,000 for 16,000 first-year dependent students. What that means is that those students who are able and have the grades and want to go on to university but who come from a family that simply could not consider that as opportunity for them will be able to receive a grant of up to \$6,000 and be able to go on and become contributing and successful members of our society. We're going to further enhance student support with an Ontario-only grant of up to \$3,000 for 16,000 second-year dependent students—again, a grant. It has been years in this province since grants have been available in those quantum, in that number, for Ontario students.

I want to talk a little bit about what that means for a student from a low- or middle-income family. I speak often in the Legislature about my family and my grandmother, who raised 10 children as a single mom and was able to have her children go through—many of them chose apprenticeship programs; many of them chose to go on to university. Without financial assistance, none of that would have been possible.

I am so pleased to be part of a government that is seen to be opening up that door of opportunity for all Ontario students. We need to turn the channel and make significant reinvestments in the system, and that's what we're doing in this budget. That's why I am just so proud to be part of this government that is really putting our money where our mouth is when we say we want to make sure we reinvest in post-secondary education.

I want to talk a little bit about why this budget is good for small business and business across the province. I've already talked about how business owners are people who generate the revenue in this province and who make our economy strong. They are the parents. They will benefit. They have kids in school and university. The reinvestments in both public education and university to make sure that we have smaller class sizes, the first-ever genuine daycare program for the province, and again this historic reinvestment in post-secondary education make those parents able to go out and focus on the business and on their own opportunities.

Health care is certainly another area where we are proud to make those reinvestments: more doctors and nurses; 52 new family health teams, on their way to 150 family health teams; more cancer surgeries, cataract surgeries, heart procedures, hip and knee replacements; more MRIs and CT exams. We have seen that in my own hospital, Trillium Health Care Centre, at the Q site in Etobicoke. The Q site is one of those sites offering more of these procedures and making sure that we get our wait time lists down.

#### 1630

There's more community support for seniors, the frail elderly and disabled. I have to tell you about my budget breakfast, where we had an opportunity to hear from many individuals in the community who provide home care, palliative care and hospice care. They said it was the first time in a very long time—in fact, the first time ever for palliative care—that a provincial budget spoke to their issues, to the benefit that they provide to the community, and provided the investments for them to do their most important jobs. It was a real pleasure to have a chance to speak to individuals whose work I respect each and every day in the community, and to learn what they do. They really feel that they will benefit from our budget.

I want to talk for a minute about fiscal management and the fact that, for our government, it is a critical measure. We are very proud that we have cut the 2004-05 deficit by almost one half of what we inherited, to \$3 billion. The deficit is projected at \$2.8 billion in 2005-06, and it's expected to decline steadily thereafter. We also know that Ontarians contribute greatly to the future of this province. There are no new taxes in this budget. We're going to focus on discipline. We're going to hold the line on spending in 15 ministries. Why are we going to do that? Not because it's a means in itself, but because it's a means to an end, to allow us to invest in our priorities—health care, education—the priorities that we ran on, the priorities that Ontarians sent us here to deliver on. We've also identified \$400 million in savings and efficiencies and are over halfway there to a \$750-million target of those efficiencies.

Another important pledge—and it has been spoken about here in this Legislature—is the fact that for the first time in a long time, we are going to see significant reinvestments in infrastructure: a five-year, \$30-billion infrastructure plan for roads, transit, schools, colleges, universities and hospitals. That's so we're going to be able to get goods to market, we're going to be able to get people to their jobs, we're going to have a better quality of life, we're going to have hospitals that aren't falling apart and we're going to have schools that you want to send your children to because the roofs aren't leaking and the windows close. Those are important investments that we need to make and that we're proud to be able to make.

With the last minutes I have remaining, I want to talk just a little bit about what this budget spoke to and what it said to Toronto. We understand that Toronto is the economic engine of this province. By recognizing Toronto's special needs, we will help ensure that the city remains and retains its prominence as an attractive place to live, work and invest.

We're going to promote the commercialization of research through innovative networks like the MARS network. We're going to examine options to implement tax increment financing as a tool to promote urban regeneration, which will benefit a community such as mine. We're going to put in place initiatives to encourage the redevelopment of brownfields, something that will

help communities such as Etobicoke–Lakeshore. We're looking at extending the retail sales tax exemption for destination marketing fees that some hotels charge in support of tourism. We're going to provide \$1 million to the Toronto Region Immigrant Employment Council to help employers recognize the skills of workers. We're going to support the arts, cultural industries and cultural tourism with increased film and TV tax credits. I know my own community will benefit from that. You just need to drive around Etobicoke–Lakeshore to see the boom of the television sector and filming that is now taking place in Toronto.

This is a good budget for all of Ontario. I'm very pleased to support it. I am pleased now to cede the floor to my colleague.

**Mr. Bruce Crozier (Essex):** I'm pleased today to stand and say a few words with respect to the great budget that was presented in this House just this last week. I'm proud to represent the riding of Essex, which, as many know, is made up of small urban and rural areas. We have a great degree of concentrated agricultural products in our riding, from grains and oilseeds to the greenhouse industry, where there are flowers and vegetables, to the dairy industry, the beef industry, chickens and egg production—we have it all.

As I say, I'm proud to represent that riding and I'm proud to speak about the budget today with respect to what it will mean to the constituents in my riding. As I do, I want to talk just a little bit about history, and then we'll look into the future.

As I look at the budget papers that were presented by the Honourable Greg Sorbara last week and which, of course, have the footprint of Premier Dalton McGuinty on them, I look back at debt, because debt is something all of us understand, whether we've had to borrow money for a home, for a car or for education.

As I look back to the years 1990 and 1991 through 1995, the debt during that period increased some \$50 billion, from around \$40 billion to \$90 billion. Then we take the period of time from 1995 to 2004, when I hear about the great fiscal managers, the great balanced budgets. It might surprise some to know that the debt during that period of time went from about \$100 billion dollars up to \$140 billion. Isn't that surprising? Some would have us believe that the former government was free of all this debt business.

The only point I'm making here is that all governments have used debt financing in carrying out their plans for their constituents and for those of the province of Ontario. This budget, as a matter of fact, as it's projected through 2005-06, will increase the debt by some \$10 billion, maybe \$14 billion. We've all had our hand in the cookie jar when it comes to debt, and I just wanted to point that out.

**Mr. Baird:** Take it out.

**Mr. Crozier:** Somebody just told me, "Take it out," and we plan to do that. By the year 2006-07, we hope to have a balanced budget.

**Mr. Baird:** Jim Flaherty was the—

**Mr. Crozier:** He's not the only one who's had a balanced budget. We will argue that at some later date. As a matter of fact, that leads me to my next point, because what they're saying over there is that the sky wasn't going to fall—

*Interjections.*

**The Acting Speaker:** Will the member take his seat?

I would ask the member for Whitby–Ajax to withdraw his unparliamentary comment.

**Mr. Jim Flaherty (Whitby–Ajax):** Withdrawn.

**The Acting Speaker:** The member for Essex.

**Mr. Crozier:** I'm surprised. I didn't hear that, but thank you, Speaker. I appreciate it.

The sky is going to fall, according to the leader of the official opposition, Mr. Tory, and the leader of the third party, Mr. Hampton, but I was about to say it's somewhat like the musical *Annie*, when she sang, "Bet your bottom dollar, the sun will come up tomorrow." You know what? The sun has come up, and the sun is going to shine brighter in the future.

I want to speak a bit about that in the time I have. I want to speak particularly about agriculture, because there has been a lot said about agriculture. There has been—

*Interjections.*

**Mr. Crozier:** There has been some spin, someone might say, to use a political word. Perhaps the spin has been like the debt has been over years: spread around quite a bit.

Now let's look at the budget when it comes to agriculture. The operating budget, as we will see on that infamous page 74, is going to go from \$549 million last year to \$564 million next year, a \$15 million increase. I really don't see how anybody can argue with that, because it says so right here in these budget papers that everybody has been referring to.

Let's take, for example, any one of these years, but I'll take last year, when the budget was \$549 million. What if we had said, "That's it. The budget says \$549 million. Not one red cent more is going to be spent"? Where would we have gotten, then, the money to help the farming community the way we did in this past year? Where would we have been if we hadn't spent \$733 million in in-year expenditures plus some \$444 million in extra, what are normally considered one-time, expenditures?

**1640**

So you know what? I'm certainly not saying, as a member of the rural caucus, and I'm sure there are others here who will support me, that \$564 million is the exact figure that's going to be spent in agriculture in this coming year. I am saying that I am committed, along with Premier McGuinty, with the Treasurer, Mr. Sorbara, and with my rural colleagues—as well, as a matter of fact, as a lot of my large urban colleagues—that that is the only figure that will be spent. That's what will operate the Ministry of Agriculture over this next year, without any unforeseen conditions or hurdles.

Now, may there be something else? May something else happen? Absolutely. Looking into the future, might



we be saying, for grains and oilseeds, that the future of their income production is not great? Absolutely. Will we have to sit down with our farming communities to look at some problems that might arise and work out solutions? I'm quite confident that we'll do exactly the same thing we did last year, and we will sit down and we will listen.

For example, I don't recall, and I may stand corrected, that the federal budget said, "Look, we're going to have \$50 billion in problems in the agriculture community next year." That is what contingency funds are for. That's why we have these funds for rainy days.

We had the former government, with all due respect, that had to deal with SARS. Was SARS in the budget that year? Not at all. Was BSE in the budget when they were government? Not at all. So it should be.

**Mr. Baird:** Did we cut the budget by 23%?

**Mr. Crozier:** Oh, and we won't talk about how you cut the budget to agriculture. I'll leave that to somebody else to explain.

But what I am saying is this: You've got representation in this Legislature, on this side of the House, that came to the plate when it was necessary in the last year or so. And by golly, I know, because I know the people sitting on this side of the House, that the Premier and the finance minister that we have will come to the plate when that's necessary. So all this argument over a budget and whether it's cut and whether it's not—it's really just a guideline, and we'll come to the plate, we'll be there to support our agriculture community, every day of the year.

**The Acting Speaker:** Questions and comments?

**Mr. Wilson:** I just want to respond to what a couple of the Liberal members across the way have said.

I don't think you have read your budget. Let's go to agriculture and what the member for Essex, a largely rural area, said. You've cut the base budget for the Ministry of Agriculture by 23%. You can flower that up with all the contingencies that may come later with respect to the next crisis in agriculture, but you've cut the ministry 23%. You promised the exact opposite. You criticized us, when we were balancing our budget, for relatively small cuts to the Ministry of Agriculture and other ministries. In comparison to this whack—this is the worst hit that the people in rural Ontario have had to take since 1982.

Do you not know what is going on in your small towns and your villages in the rural areas? The hardware stores are starting to close. The IGAs are starting to see their volume go down. All the spending that farmers do in our small towns and villages—you are starting to see the effect of them not having any money in their pockets to spend. And now you devastate them, you whack them, you hit them over the head.

And then in municipalities like Grey Highlands in my riding, and part of it in John Tory's riding and part in Bill Murdoch's riding, the fact of the matter is, they were going to have—I was at council last Monday, a week ago—I thought, a 25% tax hit as a result of your new so-called partnership fund with municipalities that replaced

the community reinvestment fund. You thought we were bad. We never, in the history of Ontario PC politics or in the history of governing in this province, ever created double-digit property tax increases the likes of which you are creating.

I went to council and said, "I think it's about a 25% hit on property taxes as a result of the almost \$1 million they've lost in transfers from the province." The mayor corrected me and said, "No, it's closer to 30% or 35%," and his treasurer was there to confirm that.

Owen Sound: devastated; double-digit property tax increases there. The Town of the Blue Mountains: double-digit property tax increases, and we just had a big ratepayers' meeting last Saturday. They are mad.

Rural Ontario is going to nip you guys and you're going to get what you deserve. You've devastated them.

**Mr. Prue:** I listened to the two debaters, the member from Essex and the member from Etobicoke-Lakeshore. First of all, I thought the member from Essex didn't say anything that controversial that I would want to talk about until he got to the very, very end of his eight minutes, when he said that the budget is really just a guideline. I have to say that up until that point the member from Essex wasn't saying anything at all controversial, but I do not consider a budget to be just a guideline.

A budget has to be the soul of what a government is. If you look at what's happening in Ottawa, that's why there is a confidence vote around the budget. It's not just another bill. It's not just something that a government is proposing. It is taking the money from taxpayers and detailing exactly how it is to be expended. I would take it that no one ought ever to say that it is really just a guideline. It is, in fact, the heart and soul of what a government is.

I listened to what the member for Etobicoke-Lakeshore had to say. She did say a truth, I think, from what I heard from some of the other members. It allows the government in its expenditures to set its priorities, and yes, the government has been very clear that its priority is education. But at the same time, in doing that priority, you have flatlined 15 separate ministries. If you look at some of what you have flatlined, I would take it that this government and the members cannot be pleased. You cannot be pleased with what you are doing to aboriginal communities, you cannot be pleased with what you are doing to poor children, you cannot be pleased about the whole cause of poverty, and you must know that what you are doing to the arts community is not something to celebrate but something to be dismayed about.

**Mr. Ernie Parsons (Prince Edward-Hastings):** The world that our young people are growing up in now is so profoundly different from the one that we as a group here experienced. The future they face is going to be challenging.

I've always had quite a passion for education. I believe that the best thing we can do for our children is to equip them to deal with the challenges they will face. The challenges are going to change.

I look at this budget and I see everything from Best Start, for children who are preschool, to college and university. What very much distressed me during the previous government's term was the statistics that consistently said that our young people from lower-income families were not able to go on to post-secondary. We watched the numbers of young people from families who make \$40,000 a year go from over 40% of the makeup of a college to 18%. It wasn't the lack of ability that was keeping these young people out; it was the lack of finances. So we had young people who were intelligent and hard-working but not from families that were rich financially.

We see major changes in this. We see a support in colleges and universities be state-of-the-art. My gosh, I read or heard somewhere that we double the knowledge in this world about every two and a half years. So we have a responsibility to give our children the means of keeping up with that increased knowledge.

I also see a tremendous benefit out of this. Our country and our province are facing a considerable shortage of skilled trades. Our professions, whether it be plumber, electrician or millwright, are tremendous employment opportunities with good pay and satisfaction. For both the secondary level and the college level, this budget will provide for the equipment in the programs that will equip them to meet the need this province has.

1650

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** For the short time I have to comment on this budget, my whole question is, what happened to the rural members in the Liberal caucus? They must have all left the caucus when they discussed this budget. Rural Ontario got devastated with this. It's criminal what you're doing to rural Ontario. Then you come up with this new idea that you're going to switch around the grant system. Most of rural Ontario and northern Ontario lost on that one.

As was mentioned, Owen Sound got hit big time. All the rest of—

**Interjection:** Meaford.

**Mr. Murdoch:** Well, yes, Meaford got hit big time when you changed it all. We had two municipalities, of the 11 that I represent, get a small increase.

Then we get to the budget, and the budget forgot about rural Ontario and the environment. What happened to the environment? You guys cut rural Ontario. Rural Ontario is having one of the most difficult times in history, with the farming communities being hit hard with BSE, with the low commodity prices, and you forgot about it. You totally forgot about rural Ontario.

Did all the rural members go home? They must have gone home. I see some of them here today, but were you not around, were you not there to tell Sorbara that there is more than just urban Ontario, that there is more to Ontario than just the big urban centres? You forgot that. You totally left us alone out there in rural Ontario. Nothing for it. You even cut it. You didn't even give the farmers some hope, saying, "We'll add more to the budget so we'll come and help you." Absolutely nothing

there to help out rural Ontario. The Liberals let us down. Is this what the legacy of the Liberal government is going to be?

Then you have the audacity to blame us. We're not in government, guys. You're the government. We have a Liberal government, which is unfortunate in Ontario but we have one, and they forgot about rural Ontario. They totally forgot about us.

**The Acting Speaker:** One of the government members has two minutes to reply. I return to the member for Essex.

**Mr. Crozier:** On behalf of the member from Etobicoke-Lakeshore, I'd like to thank the members from Simcoe-Grey, Beaches-East York, Prince Edward-Hastings and Bruce-Grey-Owen Sound for their replies.

To the member from Bruce-Grey-Owen Sound, I don't know that I was blaming you; I was just explaining what it was we did for the farmers and the rural communities in this past year. You said, "Where were the rural members over here?" We were over here getting in excess of another half-billion dollars for agriculture over last year's budget. That's where we were, and we'll be here the next time agriculture needs us while you're still sitting over there jabbering away.

The member for Simcoe-Grey said, "Do you really know what's going on in your riding?" You're darned right I do. When I go to the Arner Stop or the Cottam café or Shepps in Harrow, I listen to what my farmers have to say to me, what my rural community has to say to me, and do you know what they're saying? They're saying, "Thank you for what you did for us in the last year." If we run into trouble, I'm saying to them, "We'll be there for you in this coming year."

The member for Beaches-East York said he doesn't agree that the budget is just a guideline. Wait till we get to estimates. What do you think the Management Board is for? The Minister of Agriculture, Steve Peters, went back and back to the Chair of Management Board. Gerry Phillips, the Premier and the finance minister came across with enough money that the budget, the guideline, went from \$549 million to \$1.1 billion. That's what a budget is all about. That's what hard-working rural members are all about. We'll be there next time, too.

**The Acting Speaker:** Further debate?

**Mr. Flaherty:** I'll be sharing my time with the member for Nepean-Carleton.

It's my privilege to speak to the budget as the finance critic for the official opposition. I say at the outset that a couple of errors have been made recently in the debate. The member for Essex was talking about the public debt in Ontario. I encourage members to actually read the budget and particularly read the background papers to the budget, the budget papers. There's a great deal of information. If one listened to the member for Essex, one would think that there was a substantial increase in the Ontario public debt in 2000-01, 2001-02. If you just look at the lines, yes, that's true. But if you read on page 170 of the budget papers, you'll see, "The increase in total debt in the year ended March 31, 2000 reflects the con-



solidation of OEFC's \$19.4 billion in stranded debt from the electricity sector to the province's debt."

I'm sure the member knew that, but has forgotten that at that time there was a transfer of about \$20 billion. You see a big jump in the public debt at that point, and that was the reason for it. I'm sure the member would not want the people of Ontario to think that—

*Interjections.*

**The Acting Speaker:** I would just ask the opposition members to refrain from heckling so that the member for Whitby–Ajax can make his presentation and I can hear it. Thank you.

**Mr. Flaherty:** If the member for Essex doesn't understand the significance of that, that's a problem. But in terms of the operating expenses of the government, it's a very significant point.

The more important point, I think, looking at this, is that the debt is going to be run up in the next several years in the province of Ontario to in excess of \$150 billion by the current government. It means, in practical terms—because I know that to people watching this and listening, and even some members, a billion is a billion is a billion—that next year in the province of Ontario, when people pay all their taxes, according to this Liberal budget, the first \$10 billion will go for interest on the public debt—to foreigners, some Canadians and some other people.

How much are we going to spend on education in the province of Ontario next year? He calls himself the education Premier, this current Premier does. These Liberals on the other side are so proud of what they're doing for education. We'll spend the same amount on primary and secondary schools next year as we pay in interest on the public debt. And they get the \$10 billion. Imagine what we could do in the province of Ontario if there were some effort to control the public debt. There has been effort to control the public debt—when I was in. You can look at the numbers, member from Hamilton, in 2001-02. Look at the numbers. Get out the book. You'll learn something. You'll—

*Interjections.*

**The Acting Speaker:** I ask the member for Whitby–Ajax to take his seat.

I apologize for interrupting, but many members of the House were interrupting him. I would ask them to please refrain from heckling so that the member for Whitby–Ajax can make his presentation to the House.

**Mr. Flaherty:** If you want to read the public debt figures in the province of Ontario—the member for Essex should pay attention because there is so much to learn about the public debt and it's so damaging to future generations. You should be concerned about it.

The most substantial reduction in the history of the province of Ontario in the public debt was \$3.1 billion in 2000-01 when I was the Minister of Finance. The reason we did that is that it freed up money for health care. The member for Essex doesn't care that we'd rather pay interest to foreigners than properly fund our community

hospitals in Ontario. That's the effect of overspending year after year after year.

Regrettably, the Minister of Finance comes to this place last week with this budget and that's what he proposes to do. Year after year after year, more and more spending—and guess what?—more and more debt. Why? Because every year this government is going to spend more money than it takes in—every year. This is what they call fiscal planning. This is what they call good planning for the people of Ontario. So next year, \$10 billion in interest; the next year, \$10.4 billion; after that, \$10.7 billion. From now until then, that's an extra \$1.1 billion.

Wouldn't the folks in Whitby and Oshawa who see their local hospital laying off nurses like to have access to that wasted \$1.1 billion over the next four years? Wouldn't they love to have access to that resource? Their hard-earned tax money is going to go off and be paid in interest to other people. When you run deficits like this and you build up the public debt, you're taxing our children and you're taxing their children. Not only will they have to pay it in their taxes, they get to pay interest on it as well, which drives up the level of taxation more. If we run into a period of recession, then big trouble comes.

I sat in this gallery in 1989 and 1990 and watched the Treasurer at the time bring in budgets. This was the Peterson government, and Mr. Nixon was the Treasurer of Ontario. This was a motivation for me to get involved in public life, I tell you, because these were good times in Ontario. These were times like now, where there was significant economic growth, people in Ontario working hard, businesses expanding, and every year they would come in with more and more spending.

1700

This is the time when we should be paying down debt, when we should be saving for a rainy day. The Liberals in the Peterson years didn't do it, and then all of a sudden 1990-91 came, we had a recession, Mr. Rae was the Premier of Ontario for the New Democratic Party, and the cupboard was bare. People know this. Liberals, governments, I guess, know this. They just don't have the courage to act on it. People know that you have to save for a rainy day, that times aren't always good, that the economy tends to be cyclical, and certainly sectors of the economy tend to be cyclical. This is the fundamental point that regrettably is not addressed. In fact, just the opposite happens when you look at the numbers: more and more debt, more and more interest on debt, going forward in Ontario.

But we can take comfort because they talk here about—this is the economic statement last year, the comprehensive four-year plan that was going to balance the budget a couple of years from now in the election year 2007. Sorry, that plan is gone. Now we're down to a comprehensive, I guess it is, three-year plan and we're going to balance the budget maybe the year after that. Then what? I guess next year we'll have a comprehensive two-year plan. I don't know if they'll have the nerve in

the last year to say it is a comprehensive one-year plan, but maybe they will. Four plans so far.

This government cannot stick to a fiscal plan, and this is cause for concern for the people of Ontario, because if you can't stick to the plan, then you are likely to overspend and then run deficits that are even larger than anticipated. The deficit for this year as anticipated by the government was \$2.2 billion. There was this nonsense about the electricity dollars that the Auditor General caught them fooling with. So it wasn't \$6 billion, it was \$2.2 billion, but what did we see in the budget? We saw an actual deficit of \$3 billion. That's \$800 million of overspending by this government, \$800 million that was out of control, ad-hoc spending, and this is on top of very substantial windfall revenues. The windfall revenues were \$2.65 billion; it's on page 53 of the budget.

So here's a situation where the government budgets a deficit of \$2.2 billion, overspends by \$800 million, and in addition has extra revenue in your change of \$2.658 billion. They still can't balance the budget. Bob Rae would have prayed for this kind of revenue and this kind of economic growth in Ontario. You ought to be ashamed of yourselves over there, because he probably would have balanced the budget—a New Democrat. You would think Liberals with this kind of revenue would be able to balance the budget in Ontario. Anyway, I'm sure there will be another plan next year and I'm sure they won't stick to this plan, just as they've broken their promise not to raise taxes. They have brought in new and different plans every time they come here. But they are consistent, and the member for Peterborough I'm sure recognizes the government is consistent: "We will overspend. We will continue to overspend. We will continue to run deficits. We will continue to build up the public debt in Ontario. We will continue to have the highest taxes possible in Ontario. We will continue to break our promise not to raise taxes."

The member from Peterborough can go back to Peterborough in 2007 and proudly say, "I did all of those things so that the future prosperity of our province is in jeopardy, and you can guarantee your children and their children that they will be paying high taxes in the absence of a reform government changing that overspending, overtaxing, building up deficits in Ontario."

Infrastructure is fun. This infrastructure thing is wonderful. You've got to read page 35. One of the greatest needs we have is to build infrastructure in the province of Ontario. We have—

*Interjections.*

**The Acting Speaker:** I would ask the government members to refrain from heckling so as to allow the member for Whitby—Ajax to make his presentation to the House.

**Mr. Flaherty:** I know the member for Pickering—Ajax—Uxbridge would be very interested in this, because the mayor of Whitby was talking about it today. His Worship Marcel Brunelle, known well to the former mayor of Pickering, at the mayor's annual address—the state of Whitby address, I guess it is—that I attended

today at a lovely location, the Royal Ashburn Golf Club in Ashburn, which is part of Whitby, pointed out that the greenbelt legislation that this government has brought in, in terms of employment-to-population ratio, is 1 to 3, job to population, in Durham region, and 1 to 2 in all the rest of the GTA. He wondered what had happened to the expansion of the 407 and what had happened to the new intersections on Highway 401.

You know what he has been told by this government? At least four years. Durham region is the most rapidly growing area in the province of Ontario, and the municipality that's most rapidly growing is the town of Whitby, and they are being told, in terms of economic growth, "You're going to be greenbelted disproportionately to the rest of the GTA. In addition, we're not going to build the highways you need," the basic infrastructure needed. It's shocking, really, in terms of negative planning for economic growth in the province.

The budget says that we're going to spend \$30 billion. You look for the \$30 billion and you can't find it. You find capital investment in fact going down: \$2.7 billion in 2005-06; \$2.5 billion in 2006-07; \$2.1 billion in 2007-08, and it goes on like that. Then there's this wonderful sentence. I've got to compliment whoever in the government wrote this, because this is governmentese at its—this is wonderful. It says here, "This level of capital investment will support a five-year, \$30-billion infrastructure plan." Here's the great sentence: "Planned levels of capital investment may be supplemented from the proceeds of strategic asset management initiatives."

**Mr. Garfield Dunlop (Simcoe North):** What does that mean?

**Mr. Flaherty:** I don't know what that means. What's a strategic asset management initiative? Why didn't you just say "fire sale"? You would have saved all those words there: "We're going to sell some stuff that's owned by the people of Ontario, and we're not sure, but we might use it for infrastructure."

Here's the other fun thing with words: They can't do P3s, public-private partnerships; they can't do those because it's a Conservative idea and it works. I remember meeting in 2001 with the staff people of Prime Minister Blair in the United Kingdom. At that time, they were building over 200 brand new hospitals in the United Kingdom using public-private partnerships. His staff chief said to me toward the end of the meeting—I was the Minister of Finance at the time—"You know, this is a Conservative idea, but it works." He was apologizing for using this great Conservative idea of building infrastructure using pension funds and other private sources.

We've lost two years now: two years wasted in an economy in southern Ontario that cries out for infrastructure investment. The Fort Erie border, the Windsor border—27% of our exports are going across a bridge, and they do nothing. They've waited two years now—Highway 26, southern Ontario. How are we going to grow, how are we going to have prosperity, if we don't have the basic infrastructure in place? What do they say in this book, this budget? They say, "We'll study it; we'll



look at it. We're going to have a plan." Well, southern Ontario can't wait. It's choking on the absence of the essential infrastructure needed not only for economic growth but for quality of life.

Then you see the reality of paying more and getting less. People in Whitby and Oshawa and Ajax—an average family is paying \$1,000 more in income tax in the past year to the government of Ontario. You know, people in Ontario are fair-minded. They'll say, "All right. The government said that they had to take more money from us but that we'd get back better health care, better education and so on." Yes? Really? It didn't happen.

**Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge):** Yes, it did.

**Mr. Flaherty:** The member says that it did. Come out to Durham region. Come out to Lakeridge Health, which has five sites—a multi-site hospital. It's the biggest area of economic growth and the biggest area of population growth in the province of Ontario. Come on out and talk to the people there who paid this \$1,000 per family and ask them, "How's your health service? How's your local hospital doing?" You know what they'll say to you? They'll say, "You know, our hospital got less than a 1% funding increase, when their baseline increase is 8% per year." Health care spending has gone up 8.2% per annum on average over the last five years.

This government, in this budget, proposes to cut the increase on spending in health care to 3.8% in three to four years going forward—impossible; not going to happen. You won't be able to keep to the plan. It means more deficit spending in the province of Ontario and greater debt.

These are the major concerns that I have with respect to this budget. I almost hesitate to call it a budget, because it's not really that. It's a document that says, "We're not going to make choices. What we're going to do is shirk our responsibility, keep building up the spending, hope for good revenues and let future generations pay for it."

**The Acting Speaker:** The member for Nepean-Carleton.

**Mr. Baird:** I move that the amendment to the motion be amended by adding after the word "jeopardy" in the third paragraph inserting "including the grossly inadequate funding last year for the Queensway Carleton Hospital and the Ottawa Hospital."

**The Acting Speaker:** Mr. Baird has moved that the amendment to the motion be amended by adding after the word "jeopardy" in the third paragraph inserting "including the grossly inadequate funding last year to the Queensway Carleton Hospital and the Ottawa Hospital."

Mr. Baird still has the floor.

**Mr. Baird:** Mr. Speaker, I move adjournment of the debate.

**The Acting Speaker:** Mr. Baird has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1712 to 1742.*

**The Acting Speaker:** Will the members please take their seats. I would ask once again, will the members please take their seats. I would ask one last time, will the members please take their seats. If the members aren't prepared to take their seats, I am going to call them individually to take their seats.

All those in favour of the motion will please rise and allow yourselves to be counted by the table staff.

You may take your seats.

All those opposed to the motion will please rise and allow yourselves to be counted by the table staff.

You may take your seats.

**The Clerk of the Assembly (Mr. Claude L. Desrosiers):** The ayes are 18; the nays are 58.

**The Acting Speaker:** I declare the motion lost.

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr. Speaker: I rise on a point of order involving something I said in the House earlier today, to correct the record, which I believe is in order. I believe a member can correct the—

**Interjection:** By point of privilege, but you've got to give notice.

**Interjection:** No, you don't.

**The Acting Speaker:** I'm going to listen to see if he's got a point of order. I would ask the House to allow me to listen to him.

**Hon. Mr. Duncan:** All of the authorities quite properly note that you can rise on a point of order to correct your own record.

This afternoon during question period, Mr. Speaker, you in your capacity as a member rose on a point of order with respect to discussions around the Information and Privacy Commissioner speaking to a committee of the Legislature as part of the hearings on Bill 183. At that time—

**The Acting Speaker:** Government House leader, I recall the context and I would ask you how you're going to correct your own record.

**Hon. Mr. Duncan:** At, I believe, line 013 I am quoted as saying, "So to the leader of the official opposition, this government has had more hearings on more bills than any government. We'll be happy to discuss—"

*Interjections.*

**The Acting Speaker:** Will the House please come to order. The government House leader is about four feet away and I can't hear him.

**Hon. Mr. Duncan:** You rose on a point of order with respect to the same issue, Mr. Speaker, and I said at the time—and I quote from the Instant Hansard, which I have in my possession and will table with the House—"The commissioner has been heard already, and we look forward to the opportunity to have her back to the hearings as well to discuss this bill."

My understanding is that in fact the committee had not heard the commissioner. The commissioner is scheduled

to be heard this coming Thursday morning. I misspoke. Therefore, I wish to correct the record by indicating that the public hearings on Bill 183 start this Thursday. They are slated to begin tomorrow, and at that time Ms. Cavoukian will be appearing at the committee hearings.

**The Acting Speaker:** The member from Nepean–Carleton has the floor.

**Mr. Baird:** I move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry?

All those in favor of the motion will please say “aye.”

All those opposed, please say “nay.”

In my opinion, the nays have it.

Call in the members. This will be another 30-minute bell.

*The division bells rang from 1748 to 1818.*

**The Acting Speaker:** Mr. Baird has moved adjournment of the House.

Will the members in favour of the motion please rise and remain standing while they're counted by the table staff.

You may take your seats.

Will the members opposed to the motion please rise and remain standing while they're counted.

You may take your seats.

**The Clerk of the Assembly:** The ayes are 18; the nays are 61.

**The Acting Speaker:** I declare the motion lost.

On May 11, 2005, Mr. Sorbara moved, seconded by Mr. McGuinty, that this House approves in general the budgetary policy of the government.

On May 12, 2005, Mr. Tory moved that the motion be amended by deleting the words after “that this House” and adding thereto the following:

“Recognize that this budget is the latest in a series of ever-changing fiscal plans and that:

“The government has provided inadequate support to Ontario's hospitals, putting timely access to care in jeopardy;”

*Interjections.*

**The Acting Speaker:** Will the members please come to order. I think you want to know what you are voting on.

“The government is failing Ontario's farmers by cutting funding by 23.1% this year, on top of the 20% budget cut last year;

“The government has laid out no specific plan for meeting Ontario's infrastructure needs and has not explicitly budgeted for those needs;”

“Taxpayers will pay double the amount in health taxes this year, despite a promise by the Premier not to raise taxes at all;

“The government has done little to nothing specific to meaningfully attack waste and mismanagement in the government on a budget of \$80 billion; and

“These failures, these broken promises, these high taxes, high deficits, wasteful spending and burdensome regulations will harm Ontario's economy and create a

climate which will discourage investment and jobs in Ontario.

“Therefore, this House has lost confidence in this government.”

On May 17, 2005, Mr. Baird moved that the amendment to the motion be amended by adding, after the word “jeopardy” in the third paragraph, the words “including the grossly inadequate funding last year to the Queensway Carleton Hospital and the Ottawa Hospital.”

The first question to be decided is the amendment to the amendment to the motion. Is it the pleasure of the House that Mr. Baird's amendment to the amendment to the motion carry?

All those in favour of the motion will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1822 to 1832.*

**The Acting Speaker:** All those in favour of Mr. Baird's amendment to the amendment to the motion will please rise one at a time.

#### Ayes

Baird, John R.

Barrett, Toby

Chudleigh, Ted

Dunlop, Garfield

Hudak, Tim

Jackson, Cameron

Martiniuk, Gerry

Miller, Norm

Munro, Julia

Murdoch, Bill

O'Toole, John

Runciman, Robert W.

Scott, Laurie

Sterling, Norman W.

Tasca, Joseph N.

Tory, John

Wilson, Jim

Yakubuski, John

**The Acting Speaker:** All those opposed to the motion will please rise one at a time.

#### Nays

Arthurs, Wayne

Bartolucci, Rick

Bentley, Christopher

Berardinetti, Lorenzo

Bountrogianni, Marie

Bradley, James J.

Broten, Laurel C.

Brown, Michael A.

Brownell, Jim

Bryant, Michael

Cansfield, Donna H.

Caplan, David

Chambers, Mary Anne V.

Colle, Mike

Cordiano, Joseph

Craiton, Kim

Crozier, Bruce

Delaney, Bob

Dhillon, Vic

Di Cocco, Caroline

Dombrowsky, Leona

Duguid, Brad

Duncan, Dwight

Fonseca, Peter

Gerretsen, John

Hoy, Pat

Jeffrey, Linda

Kennedy, Gerard

Kular, Kuldeep

Lalonde, Jean-Marc

Leal, Jeff

Levac, Dave

Marsales, Judy

Mauro, Bill

McMeekin, Ted

McNeely, Phil

Meilleur, Madeleine

Milloy, John

Mitchell, Carol

Mossop, Jennifer F.

Oraziotti, David

Parsons, Ernie

Patten, Richard

Peters, Steve

Peterson, Tim

Pupatello, Sandra

Qaadri, Shafiq

Racco, Mario G.

Ramal, Khalil

Ramsay, David

Rinaldi, Lou

Sandals, Liz

Sergio, Mario

Smith, Monique

Smitherman, George

Sorbara, Gregory S.

Takhar, Harinder S.

Van Bommel, Maria

Watson, Jim

Wilkinson, John

Wong, Tony C.

Wynne, Kathleen O.

Zimmer, David

**The Clerk of the Assembly:** The ayes are 18; the nays are 63.

**The Acting Speaker:** I declare the motion lost.

The second question to be decided is the amendment to the motion. Is it the pleasure of the House that Mr. Tory's amendment to the motion carry?

All those in favour of the motion will please say “aye.”

All those opposed will please say “nay.”



In my opinion, the nays have it.

Same vote? No.

Call in the members. This will be another 10-minute bell.

*The division bells rang from 1836 to 1846.*

**The Acting Speaker:** All those in favour of Mr. Tory's amendment to the motion will please rise one at a time.

#### Ayes

Baird, John R.	Martiniuk, Gerry	Scott, Laurie
Barrett, Toby	Miller, Norm	Sterling, Norman W.
Chudleigh, Ted	Munro, Julia	Tascona, Joseph N.
Dunlop, Garfield	Murdoch, Bill	Tory, John
Hudak, Tim	O'Toole, John	Wilson, Jim
Jackson, Cameron	Runciman, Robert W.	Yakubuski, John

**The Acting Speaker:** All those opposed to the motion will please rise one at a time.

#### Ayes

Arthurs, Wayne	Duncan, Dwight	Peters, Steve
Bartolucci, Rick	Fonseca, Peter	Peterson, Tim
Bentley, Christopher	Gerretsen, John	Phillips, Gerry
Berardinetti, Lorenzo	Hoy, Pat	Pupatello, Sandra
Bountrogianni, Marie	Jeffrey, Linda	Qaadri, Shafiq
Bradley, James J.	Kennedy, Gerard	Racco, Mario G.
Broten, Laurel C.	Kular, Kuldip	Ramal, Khalil
Brown, Michael A.	Lalonde, Jean-Marc	Ramsay, David
Brownell, Jim	Leal, Jeff	Rinaldi, Lou
Bryant, Michael	Levac, Dave	Sandals, Liz
Cansfield, Donna H.	Marsales, Judy	Sergio, Mario
Caplan, David	Mauro, Bill	Smith, Monique
Chambers, Mary Anne V.	McGuinty, Dalton	Smitherman, George
Colle, Mike	McMeekin, Ted	Sorbara, Gregory S.
Cordiano, Joseph	McNeely, Phil	Takhar, Harinder S.
Craiton, Kim	Meilleur, Madeleine	Van Bommel, Maria
Crozier, Bruce	Milloy, John	Watson, Jim
Delaney, Bob	Mitchell, Carol	Wilkinson, John
Dhillon, Vic	Mossop, Jennifer F.	Wong, Tony C.
Di Cocco, Caroline	Oraziotti, David	Wynne, Kathleen O.
Dombrowsky, Leona	Parsons, Ernie	Zimmer, David
Duguid, Brad	Patten, Richard	

**The Clerk of the Assembly:** The ayes are 18; the nays are 65.

**The Acting Speaker:** I declare the motion lost.

We now come to the motion of Mr. Sorbara, that this House approves in general the budgetary policy of the government. Is it the pleasure of the House that the motion carry?

Same vote reversed?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be another 10-minute bell.

*The division bells rang from 1849 to 1859.*

**The Acting Speaker:** All those in favour of Mr. Sorbara's motion will please rise one at a time.

#### Ayes

Arthurs, Wayne	Duncan, Dwight	Peters, Steve
Bartolucci, Rick	Fonseca, Peter	Peterson, Tim
Bentley, Christopher	Gerretsen, John	Phillips, Gerry
Berardinetti, Lorenzo	Hoy, Pat	Pupatello, Sandra
Bountrogianni, Marie	Jeffrey, Linda	Qaadri, Shafiq
Bradley, James J.	Kennedy, Gerard	Racco, Mario G.
Broten, Laurel C.	Kular, Kuldip	Ramal, Khalil
Brown, Michael A.	Lalonde, Jean-Marc	Ramsay, David
Brownell, Jim	Leal, Jeff	Rinaldi, Lou
Bryant, Michael	Levac, Dave	Sandals, Liz
Cansfield, Donna H.	Marsales, Judy	Sergio, Mario
Caplan, David	Mauro, Bill	Smith, Monique
Chambers, Mary Anne V.	McGuinty, Dalton	Smitherman, George
Colle, Mike	McMeekin, Ted	Sorbara, Gregory S.
Cordiano, Joseph	McNeely, Phil	Takhar, Harinder S.
Craiton, Kim	Meilleur, Madeleine	Watson, Jim
Crozier, Bruce	Milloy, John	Wilkinson, John
Delaney, Bob	Mitchell, Carol	Wong, Tony C.
Dhillon, Vic	Mossop, Jennifer F.	Wynne, Kathleen O.
Di Cocco, Caroline	Oraziotti, David	Zimmer, David
Dombrowsky, Leona	Parsons, Ernie	
Duguid, Brad	Patten, Richard	

**The Acting Speaker:** All those opposed to the motion will please rise one at a time.

#### Nays

Baird, John R.	Kormos, Peter	Runciman, Robert W.
Barrett, Toby	Martel, Shelley	Scott, Laurie
Bisson, Gilles	Martiniuk, Gerry	Sterling, Norman W.
Chudleigh, Ted	Miller, Norm	Tascona, Joseph N.
Dunlop, Garfield	Munro, Julia	Tory, John
Horwath, Andrea	Murdoch, Bill	Wilson, Jim
Hudak, Tim	O'Toole, John	Yakubuski, John
Jackson, Cameron	Prue, Michael	

**The Clerk of the Assembly:** The ayes are 64; the nays are 23.

**The Acting Speaker:** I declare the motion carried.

It is therefore resolved that the House approves in general the budgetary policy of the government.

It being past 6 o'clock, this House stands adjourned until tomorrow at 1:30 p.m.

*The House adjourned at 1903.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman  
Speaker / Président: Hon. / L'hon. Alvin Curling  
Clerk / Greffier: Claude L. DesRosiers  
Deputy Clerk / Sous-greffière: Deborah Deller  
Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie</b> (L) Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiques et de l'Immigration
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)		
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N.</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona</b> (L) Minister of the Environment / ministre de l'Environnement
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Huron-Bruce	Mitchell, Carol (L)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)		<b>Gerretsen, Hon. / L'hon. John</b> (L) Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	Milloy, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)		
Burlington	Jackson, Cameron (PC)	Kitchener Centre / Kitchener-Centre	Witmer, Elizabeth (PC)
Cambridge	Martiniuk, Gerry (PC)	Kitchener-Waterloo	Van Bommel, Maria (L)
Chatham-Kent Essex	Hoy, Pat (L)	Lambton-Kent-Middlesex	Sterling, Norman W. (PC)
Davenport	Ruprecht, Tony (L)	Lanark-Carleton	Runciman, Robert W. (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David</b> (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	Leeds-Grenville	Matthews, Deborah (L)
	Wynne, Kathleen O. (L)	London North Centre / London-Centre-Nord	
Don Valley West / Don Valley-Ouest		London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher</b> (L) Minister of Labour / ministre du Travail
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London-Fanshawe	Ramal, Khalil (L)
Durham	O'Toole, John (PC)	Markham	Wong, Tony C. (L)
Eglinton-Lawrence	Colle, Mike (L)	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S.</b> (L) Minister of Transportation / ministre des Transports
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve</b> (L) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
	Hudak, Tim (PC)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Erie-Lincoln Essex	<b>Crozier, Bruce</b> (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
	Cansfield, Donna H. (L)	Nepean-Carleton	Baird, John R. (PC)
Etobicoke Centre / Etobicoke-Centre		Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Niagara Falls	Craiton, Kim (L)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Nickel Belt	Martel, Shelley (ND)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Nipissing	Smith, Monique M. (L)
Guelph-Wellington	Sandals, Liz (L)	Northumberland	Rinaldi, Lou (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Oak Ridges	Klees, Frank (PC)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Oakville	Flynn, Kevin Daniel (L)
Halton	Chudleigh, Ted (PC)	Oshawa	Ouellette, Jerry J. (PC)
Hamilton East / Hamilton-Est	Horwath, Andrea (ND)	Ottawa Centre / Ottawa-Centre	Patten, Richard (L)



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton</b> (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Stoney Creek	Mossop, Jennifer F. (L)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim</b> (L) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Ottawa–Orléans	McNeely, Phil (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine</b> (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Thornhill	Racco, Mario G. (L)
Oxford	Hardeman, Ernie (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Parkdale–High Park	<b>Kennedy, Hon. / L'hon. Gerard</b> (L) Minister of Education / ministre de l'Éducation	Thunder Bay–Superior	Gravelle, Michael (L)
Parry Sound–Muskoka	Miller, Norm (PC)	North / Thunder Bay–Superior– Nord	
Perth–Middlesex	Wilkinson, John (L)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David</b> (L) Minister of Natural Resources / ministre des Richesses naturelles
Peterborough	Leal, Jeff (L)	Timmins–James Bay / Timmins–Baie James	Bisson, Gilles (ND)
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Toronto Centre–Rosedale / Toronto–Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Prince Edward–Hastings	Parsons, Ernie (L)	Toronto–Danforth	Churley, Marilyn (ND)
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	Trinity–Spadina	Marchese, Rosario (ND)
Sarnia–Lambton	Di Cocco, Caroline (L)	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg</b> (L) Minister of Finance / ministre des Finances
Sault Ste. Marie	Oraziotti, David (L)	Waterloo–Wellington	<b>Arnott, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Scarborough Centre / Scarborough–Centre	Duguid, Brad (L)	Whitby–Ajax	Flaherty, Jim (PC)
Scarborough East / Scarborough–Est	<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	Willowdale	Zimmer, David (L)
Scarborough Southwest / Scarborough–Sud-Ouest	Berardinetti, Lorenzo (L)	Windsor West / Windsor–Ouest	<b>Pupatello, Hon. / L'hon. Sandra</b> (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry</b> (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight</b> (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Scarborough–Rouge River	<b>Curling, Hon. / L'hon. Alvin</b> (L) Speaker / Président	York Centre / York–Centre	<b>Kwinter, Hon. / L'hon. Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Simcoe North / Simcoe–Nord	Dunlop, Garfield (PC)	York North / York–Nord	Munro, Julia (PC)
Simcoe–Grey	Wilson, Jim (PC)	York South–Weston / York–Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
St. Catharines	<b>Bradley, Hon. / L'hon. James J.</b> (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	York West / York–Ouest	Sergio, Mario (L)
St. Paul's	<b>Bryant, Hon. / L'hon. Michael</b> (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: John O'Toole  
Wayne Arthurs, Caroline Di Cocco, Andrea Horwath,  
Cameron Jackson, Kuldip Kular, Phil McNeely  
John Milloy, John O'Toole, Jim Wilson  
Clerk / Greffier: Trevor Day

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Toby Barrett, Mike Colle, Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell, John O'Toole,  
Michael Prue, John Wilkinson  
Clerk / Greffier: Trevor Day

**General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Vic Dhillon  
Marilyn Churley, Vic Dhillon, Brad Duguid,  
Linda Jeffrey, Jean-Marc Lalonde,  
Deborah Matthews, Jerry J. Ouellette,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Tonia Grannum

**Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Présidente: Andrea Horwath  
Lorenzo Berardinetti, Michael Gravelle,  
Andrea Horwath, Tim Hudak,  
David Oraziotti, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona  
Clerk / Greffière: Susan Sourial

**Justice Policy / Justice**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-Président: Bob Delaney  
Michael A. Brown, Jim Brownell, Bob Delaney,  
Kevin Daniel Flynn, Frank Klees, Peter Kormos,  
Shafiq Qaadri, Mario G. Racco, Elizabeth Witmer  
Clerk / Greffier: Katch Koch

**Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Donna H. Cansfield, Bob Delaney,  
Ernie Hardeman, Rosario Marchese, Ted McMeekin,  
Norm Miller, Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffier: Douglas Arnott

**Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Laurel C. Broten, Jim Flaherty, Shelley Martel,  
Bill Mauro, Julia Munro, Richard Patten,  
Liz Sandals, Norman W. Sterling, David Zimmer  
Clerk / Greffière: Susan Sourial

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Marilyn Churley  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Marilyn Churley, Kim Craitor,  
Kuldip Kular, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Maria Van Bommel, Tony C. Wong  
Clerk / Greffière: Tonia Grannum

**Social Policy / Politique sociale**

Chair / Président: Mario G. Racco  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Arnott, Ted Chudleigh, Kim Craitor,  
Peter Fonseca, Jeff Leal, Rosario Marchese,  
Mario G. Racco, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes



## TABLE DES MATIÈRES

Mardi 17 mai 2005

### PREMIÈRE LECTURE

<b>Loi de 2005 modifiant la Loi sur la ceinture de verdure, projet de loi 200, <i>M. Hudak</i></b>	
Adoptée.....	7100
<b>Loi de 2005 modifiant la Loi sur l'assurance-santé (test PSA pour le dépistage du cancer de la prostate), projet de loi 201, <i>M. Mauro</i></b>	
Adoptée.....	7100

### DÉCLARATIONS

#### MINISTÉRIELLES ET RÉPONSES

<b>Subventions destinées à l'éducation</b>	
M. Kennedy.....	7101
M. Klees .....	7103
M. Marchese.....	7104

# CONTENTS

Tuesday 17 May 2005

## MEMBERS' STATEMENTS

<b>Ontario Association of Police Services Boards</b>	
Mr. Dunlop .....	7097
<b>Chet Gervais and Adam Sinasac</b>	
Mr. Crozier .....	7097
<b>Farmers and rural Ontario</b>	
Mr. Barrett .....	7097
<b>Burial of indigent persons</b>	
Mr. Kormos .....	7098
<b>Nurses</b>	
Mr. Wong .....	7098
<b>Ontario budget</b>	
Mr. Hudak .....	7098
<b>Infrastructure program funding</b>	
Mr. Ramal .....	7098
<b>Children's services</b>	
Mr. Milloy .....	7099
<b>Post-secondary education</b>	
Ms. Wynne .....	7099

## REPORTS BY COMMITTEES

<b>Standing committee on general government</b>	
Mrs. Jeffrey .....	7099
Report adopted .....	7100

## FIRST READINGS

<b>Greenbelt Amendment Act, 2005,</b>	
Bill 200, <i>Mr. Hudak</i>	
Agreed to .....	7100
Mr. Hudak .....	7100
<b>Health Insurance Amendment Act (PSA Tests for Prostate Cancer), 2005, Bill 201, <i>Mr. Mauro</i></b>	
Agreed to .....	7100
Mr. Mauro .....	7100

## MOTIONS

<b>House sittings</b>	
Mr. Duncan .....	7100, 7101
Agreed to .....	7100, 7101

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Education funding</b>	
Mr. Kennedy .....	7101
Mr. Klees .....	7103
Mr. Marchese .....	7104
<b>Social assistance</b>	
Ms. Pupatello .....	7102
Mr. Jackson .....	7103
Mr. Prue .....	7104

## ORAL QUESTIONS

<b>Ontario budget</b>	
Mr. Tory .....	7105
Mr. McGuinty .....	7105
<b>Hospital funding</b>	
Mr. Tory .....	7106
Mr. McGuinty .....	7106
Mr. O'Toole .....	7108
Mr. Smitherman .....	7108
Mr. Ouellette .....	7108
<b>Children with special needs</b>	
Ms. Martel .....	7107
Mr. Bryant .....	7107
Mrs. Bountrogianni .....	7107
<b>Police officers</b>	
Mr. Kormos .....	7107
Mr. Kwinter .....	7108
<b>Forest industry</b>	
Mr. Bisson .....	7109
Mr. Ramsay .....	7109
<b>Federal member</b>	
Ms. Wynne .....	7109
Mr. Sorbara .....	7109
Ms. Pupatello .....	7110
<b>Committee schedule</b>	
Mr. Tory .....	7111
Mr. Duncan .....	7111, 7115
Mr. Arnott .....	7114
<b>Landfill</b>	
Ms. Horwath .....	7112
Mrs. Dombrowsky .....	7112
<b>Accessibility for the disabled</b>	
Ms. Mossop .....	7112
Mrs. Bountrogianni .....	7112
<b>Infrastructure program funding</b>	
Mrs. Munro .....	7113
Mr. Caplan .....	7113
<b>Refinery closure</b>	
Ms. Martel .....	7113
Mr. Bartolucci .....	7113
<b>Northern Ontario development</b>	
Mr. Oraziotti .....	7114
Mr. Bartolucci .....	7114

## PETITIONS

<b>Ontario farmers</b>	
Mr. Hardeman .....	7115
<b>Halton Recycling plant</b>	
Mrs. Munro .....	7115
<b>Driver penalties</b>	
Mr. Brown .....	7115
<b>Physician shortage</b>	
Ms. Scott .....	7115

## Credit Valley Hospital

Mr. Delaney .....	7116
<b>Highway 26</b>	
Mr. Wilson .....	7116
<b>Anti-smoking legislation</b>	
Mr. Delaney .....	7116

## GOVERNMENT MOTIONS

<b>2005 Ontario budget, government notice of motion number 364,</b>	
<i>Mr. Sorbara</i>	
Ms. Martel .....	7117, 7120
Mr. Ramal .....	7118
Mr. Wilson .....	7119, 7123
Mr. Prue .....	7119, 7123
Mr. Duguid .....	7119
Ms. Broten .....	7120
Mr. Crozier .....	7122, 7124
Mr. Parsons .....	7123
Mr. Murdoch .....	7124
Mr. Flaherty .....	7124
Mr. Baird .....	7127
Agreed to .....	7129

## OTHER BUSINESS

### Visitors

The Speaker .....	7099, 7101
Mr. Klees .....	7104
Ms. Horwath .....	7105
Mrs. Sandals .....	7105

Continued overleaf





No. 148A

N° 148A

ISSN 1180-2987



**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 18 May 2005**

**Mercredi 18 mai 2005**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 18 May 2005

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 18 mai 2005

*The House met at 1330.*

*Prayers.*

## LEGISLATIVE PAGE

**Mr. Ted Arnott (Waterloo–Wellington):** On a point of order, Mr. Speaker: I need to bring this to the attention of the House.

Inderraj, will you stand up? Inderraj Singh Grewal is one of our pages here, and yesterday was his 13th birthday. I know that all members of the House will want to wish him a belated happy birthday.

## MEMBERS' STATEMENTS

### COMMUNITY SAFETY VILLAGE OF YORK REGION

**Mrs. Julia Munro (York North):** On Saturday, I was pleased to represent my constituents and this House at the grand opening of the Community Safety Village of York Region.

The community safety village is owned and operated by the York Regional Police and is designed to teach interactive safety lessons. Teaching topics include traffic and road sign safety, fire safety, bicycle safety, and youth and the law. The centre will teach safety to students in grades 1 to 5, expanding in later years to both higher and lower grades.

Safety villages are a proven educational tool throughout North America because they involve children in the learning process. Teaching is hands-on and interactive. Educating children about safety is vital. Injury is the leading cause of death among children, yet up to 95% of all injuries can be prevented through education and increased awareness. This is what the safety village will help to do.

I would like to thank all the staff and the sponsors of the safety village. Chief Armand LaBarge and the police and emergency personnel of York region also deserve our thanks.

Children will be safer because of what they have learned at the safety village. I encourage all members to support their construction throughout Ontario.

## CRIME STOPPERS

**Mr. Bill Murdoch (Bruce–Grey–Owen Sound):** On Thursday, June 2, Crime Stoppers of Grey-Bruce will

play their 13th annual golf tournament at the Chippewa Golf and Country Club in Southampton.

The previous 12 tournaments raised and donated just over \$223,000 to Crime Stoppers. Some 144 golfers register for this popular tournament, which has attracted hockey greats like Bobby Hull, Pat Hickey, Paul MacDermid, Curtis Sanford and Chris Neil.

Crime Stoppers, as you know, is a community-based program that combines the police, media and members of the public in a co-operative effort to solve crime. Cash rewards are given for information leading to the arrest of criminals or the seizure of stolen property or illegal narcotics.

Crime Stoppers of Grey-Bruce started in May 1987 and since that time has paid over \$91,000 in rewards and recovered over \$3 million worth of property and \$17 million worth of narcotics. Concerned citizens operate under a volunteer board of directors and since 1987 have taken nearly 8,000 tip reports leading to 1,117 arrests.

I am proud to make my contribution to this worthwhile organization by playing in this golf tournament. I would encourage all of you to recognize and support your local Crime Stoppers organizations and thank them for the assistance they give to our police services.

I want to say that I'm sure Bobby Hull will be there again.

## CANADIAN TULIP FESTIVAL

**Mr. Richard Patten (Ottawa Centre):** I rise today to inform members about an important tradition that is taking place in the Ottawa community. On May 5, the Canadian Tulip Festival began its 19-day celebration, with the closing concerts and ceremonies scheduled for Victoria Day. The theme of this year's festival is "A Celebration of Peace and Friendship," and it will honour the 60th anniversary of the end of the Second World War as well as the gift of tulips to Canadians by the people of the Netherlands. The Canadian Tulip Festival is the largest event of its kind in the world, and it has helped to distinguish Ottawa as the tulip capital of North America.

It is interesting to note that the idea for the festival originated from a gift of thanks given six decades ago. In 1945, Dutch Princess Juliana presented Ottawa with 100,000 tulip bulbs in recognition and appreciation of the significant role that Canadian troops played in liberating the Netherlands. The first Canadian Tulip Festival was held in 1953, and since that time it has become an annual tradition.

This year's festival will include some of the following: the opening of the new Canadian War Museum, which presents Canada's military past and shows how it has shaped our country; 12 evenings of musical concerts of Canadian and international talent; a flotilla on the Rideau Canal, the event's ever-popular parade on water; and a visit by Princess Margriet of the Netherlands, who was born at the Ottawa Hospital during the Second World War. Interestingly, the princess's hospital room was declared Dutch territory in order to maintain the tradition of Dutch royalty being born on Dutch soil.

The Canadian Tulip Festival attracts over half a million visitors, many of whom are tourists, resulting in a positive economic impact. As past president of the festival and the MPP for Ottawa Centre, I am well aware of the importance of this event. I invite all members of this House and all those who hear this call to come and enjoy a wonderful time on this particular final weekend.

### TOURISM

**Mr. Ted Arnott (Waterloo–Wellington):** Last week, in their 2005 Ontario budget, the Liberal government drastically cut funding to the Ministry of Tourism and Recreation. Tourism advocates are appalled that the budget was slashed by 11.4%—some \$21 million.

The government's indifference overlooks the fact that tourism is the economic lifeblood of scores of communities across the province. In fact, the Ministry of Tourism and Recreation estimated that in the year 2003, tourism generated almost \$20 billion in economic activity, about \$8.5 billion in total taxes and supported almost 303,000 direct and indirect jobs. With these cuts to the tourism budget, the government is putting these jobs at risk.

Tourism advocates are telling me that the McGuinty government doesn't recognize the importance of tourism to the economy. Perhaps they've forgotten that Ontario tourism is still recovering from the perception created by SARS, mad cow and the West Nile virus. Just as the tourism industry is preparing to turn the page on these catastrophes, recover and hopefully grow again, the government responds by cutting the budget. What impeccable timing.

Whether it's because the government didn't listen to the minister and the other advocates for tourism or they don't understand the industry, the people in Ontario's tourism businesses are facing yet another extraordinary challenge with these severe budget cuts, and it appears that the government does not care.

1340

### ST. STEPHEN-IN-THE-FIELDS ANGLICAN CHURCH

**Mr. Rosario Marchese (Trinity–Spadina):** There is a national treasure in my riding: St. Stephen-in-the-Fields Anglican Church. It is a fine example of Gothic Revival architecture. Its architect, Thomas Fuller, designed the

Parliament Buildings in Ottawa, and St. Stephen's is the only building designed by Fuller left in Toronto.

The people of St. Stephen's are also a treasure. Their weekend breakfast program feeds up to 200 people a week who would otherwise go hungry. They provide ESL classes to the immigrants who flock here, training for student volunteers, and a home for a youth theatre company. In this multicultural neighbourhood, they house three separate congregations: English, French and Spanish. They serve the homeless and those most in need.

For the past eight years, the Anglican diocese of Toronto has paid a total of \$375,000 for a priest. All other costs have been paid by the parish. Now the parish has been told that they must repay the diocese by June of next year or move. The church would be rented to a commercial tenant. If it cannot be rented, the building's fate is in doubt.

The congregation is prepared to pay off the debt. All they want is a reasonable schedule of repayment. They have suggested 15 years. I urge the Anglican diocese of Toronto to listen to them. And if you people watching agree with me, please call the diocese at 416-363-6021 and urge them not to close St. Stephen's. We need them in our community.

### POST-SECONDARY EDUCATION

**Mr. Khalil Ramal (London–Fanshawe):** I would like to spend some time today speaking about the budget and the opposition's hypocrisy. On budget day last week, John Tory went on the CBC and told Ontarians that he welcomed our investments and thought that the principle of what was being done in the budget was right. Then there's the NDP, who always talk about how important it is that we invest in post-secondary education in this province.

Last night, they both had a chance to show Ontarians that they really do support the largest investment in post-secondary education in 40 years. And what did they do? John Tory, along with his party and the NDP, rose and voted against the budget. They voted against more financial assistance for students; increased enrolment in colleges, undergraduate programs and medical schools; more apprenticeship positions; more faculty; more innovative research; more accountability; and against setting Ontario's economy on a firm footing for generations to come.

The opposition is all talk. When it comes time to stand up and be counted and to support the priorities of the people of Ontario, they are on the wrong side.

I was proud to stand in this House with my colleagues and vote in favour of post-secondary education funding. The McGuinty Liberals are moving forward and investing in post-secondary education after years of neglect. These investments will ensure that Ontario has a highly skilled and the best-educated workforce that will help keep Ontario's economy strong.



## SKILLS TRAINING

**Mr. David Zimmer (Willowdale):** I'd like to tell the House about an important announcement made yesterday in my riding of Willowdale. Minister Kennedy and I were at Newtonbrook Secondary School touring their state-of-the-art woodworking shop. At Newtonbrook, they're training some very talented teenagers to become the city's next generation of skilled carpenters.

Our government has committed to ensuring that every student remains in the educational system until they are 18 years of age. That means that every student will have the education they need to ensure success in today's economy.

That success doesn't necessarily mean going on to college or university, although it can mean that. It also means being trained in a skilled trade. That's why I'm proud that our recent budget contains an additional \$25 million for technological education. That brings our total investment to \$45 million. This money will be used in schools like Newtonbrook in Willowdale to assist students in areas like machine shops, culinary studies and horticultural work—in other words, concrete, hands-on projects. These are the kinds of subjects that can only be taught with a hands-on approach. They require equipment and training.

We're prepared to make that investment for the success of our students. We need to reduce the dropout rate, because future prosperity for us in Ontario depends upon it.

I'd like to congratulate the minister on this initiative.

## AGRICULTURAL FUNDING

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** I rise today to assure the farmers of Lambton–Kent–Middlesex that funding for the Ontario Ministry of Agriculture and Food has not been reduced.

Despite severe financial constraints that continue to face our government, I can reassure all Ontario farmers that the core budget for the ministry will increase by \$15 million. In other words, there will be a core budget increase from \$549 million this last fiscal year to \$564 million in 2005-06. The fact that OMAF gets an increase is proof of this government's support for agriculture and our rural communities.

By the end of the last fiscal year, we had spent over \$1.1 billion, which included one-time funding for grain and oilseed producers, tobacco producers, and BSE. We've provided over \$375 million of financial aid to our farmers, and we continue to be there for our agricultural industry. The \$15-million increase in budget is proof of our commitment.

I know that farmers across Ontario understand that we are taking their concerns very seriously. We know that the crisis is not over. Farmers are a top priority for our government, and we're making sure that they have the necessary programs and services available to them so that they will continue to drive the entire province.

As chair of the rural caucus, I want our farmers to know that we will continue to support them this year and into the future, together with the Honourable Steve Peters, Minister of Agriculture and Food.

## ONTARIO BUDGET

**Mr. David Oraziatti (Sault Ste. Marie):** Residents and community leaders in Sault Ste. Marie have very positively received our provincial budget, which was introduced last week.

Our government is playing a crucial role in addressing long-standing issues in Sault Ste. Marie after years of ineffective representation by the NDP and a Conservative government that ignored our city.

Only 19 months ago, we inherited a \$5.5-billion deficit when Ontarians were told that the books were balanced. We have now reduced the provincial deficit by \$2.5 billion to \$3 billion through a responsible, balanced plan to both reinvest in core provincial services like health care and education while effectively managing our finances. Our budget contains no new taxes or tax increases.

Here's what community leaders in Sault Ste. Marie are saying.

Algoma University president Celia Ross called the budget "very good news for post-secondary education" and said, "I'm particularly pleased that the government picked up on the recommendations that will be good for northern Ontario as a whole."

The president of Sault College, Tim Meyer, said he was pleased the provincial government is reinvesting in colleges, and he called the Rae report commissioned by our government "a catalyst for" our "government to have a profound understanding of the post-secondary education system."

Cecile Somme, director of the Huron-Superior Catholic District School Board, said, "This is good news for students. It's money that's directed at students ... and that's great."

Here's what our mayor said: "This is generally a good-news budget, and this certainly sounds like good news for ... northern Ontario."

In less than two years, we've made the investments Ontarians said they wanted and put our province on a solid financial footing.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon. Alvin Curling):** I beg to inform the House that today the Clerk received the report on intended appointments dated May 18, 2005, of the standing committee on government agencies. Pursuant to

standing order 106(e)(9), the report is deemed to be adopted by the House.

## INTRODUCTION OF BILLS

### VICTIMS' BILL OF RIGHTS AMENDMENT ACT (CRIME REDEPICTION), 2005

LOI DE 2005

### MODIFIANT LA CHARTE DES DROITS DES VICTIMES D'ACTES CRIMINELS (RECONSTITUTION D'ACTES CRIMINELS)

Mr. Jackson moved first reading of the following bill:

Bill 202, An Act to amend the Victims' Bill of Rights, 1995 to provide remedies against redepicting circumstances involving a crime / Projet de loi 202, Loi modifiant la Charte de 1995 des droits des victimes d'actes criminels pour prévoir des recours contre la reconstitution des circonstances entourant les actes criminels.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr. Jackson?

**Mr. Cameron Jackson (Burlington):** I believe, from the clerks' table, that this will become Bill 202, which will amend the Victims' Bill of Rights, 1995, to allow victims of a prescribed crime to recover damages for emotional distress from a person or body that produces, distributes or otherwise makes available to the public, whether or not for profit, any visual or audible product that re-depicts in any way the circumstances of the crime or the circumstances leading up to it, except in two cases. The two exceptions are the cases where the product is made available to the public for the purpose of the administration of justice or the product depicts a crime that took place more than 50 years before the product was made available to the public. The regulations made under the act can provide for a longer time period in the second case.

1350

### ONTARIO WINE WEEK ACT, 2005

### LOI DE 2005 SUR LA SEMAINE DES VINS DE L'ONTARIO

Mr. Crozier moved first reading of the following bill:

Bill 203, An Act to proclaim Ontario Wine Week / Projet de loi 203, Loi proclamant la Semaine des vins de l'Ontario.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr. Crozier?

**Mr. Bruce Crozier (Essex):** That's spelled w-i-n-e. The act recognizes the efforts of Ontario grape growers and wine makers by designating the third week in June as

Ontario Wine Week, a week to celebrate the wines of Ontario's four wine regions: the Niagara Peninsula, Pelee Island, Lake Erie North Shore and Prince Edward county. This year is significant because June 16, 2005, will mark the 10th anniversary of the Ontario wine competition and is the day that consumers can taste and celebrate the best VQA wines Ontario has to offer.

## VISITORS

**Mr. Peter Kormos (Niagara Centre):** On a point of order, Mr. Speaker: I want to recognize in the visitors' gallery today Reverend Father Nicholas Deak, pastor of St. John the Baptist Hungarian Greek Catholic Church in Welland; his wife, Ethel Deak; Reverend Father Leslie Miske of Slovakia, pastor of Our Lady of Hungary Roman Catholic Church in Welland; and two of their friends, Veronika Lakatos and Martha Szekes of Toronto.

**The Speaker (Hon. Alvin Curling):** That is not a point of order, but I hope the reverend brings some decorum to the House too.

## WEARING OF BRACELETS

**Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues):** On a point of order, Mr. Speaker: May I ask for unanimous consent for all the members of the House to wear today this wrist bracelet, which is denoted with "Community Living"? It's available in both of the ante-rooms on both sides of the House.

**The Speaker (Hon. Alvin Curling):** The member has asked for unanimous consent. Do I have unanimous consent? Agreed.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues):** I'm very pleased to be able to share with the House today news about some very exciting steps in our plan to transform and strengthen community-based services for adults with a developmental disability.

Earlier today, I was very pleased to have with me on the podium representatives from those who work in this field. Glen Walker, president of the Ontario Association on Developmental Disabilities, is here in the House today. We welcome Glen to the House. Maybe you could stand, Glen. Nice to have you here today. We also have John Flannery from Surrey Place Centre right here in Toronto, a very specialized agency. We were very pleased to have him join us for the announcement. Garry Cooke, president of Community Living Ontario, is also



joining us in the members' gallery today. Maybe Garry could stand and be recognized.

I was very pleased to have people who know this business be certain that the government is on the right track. Many of you will remember that last September our government announced a \$110-million plan to strengthen community supports for Ontarians with developmental disabilities. At the same time, we launched a major review of the province's developmental services system to make sure of three things: that it's fair, accessible and sustainable. And we announced the phasing out of three remaining residential institutions for adults with a developmental disability by March 31, 2009.

Since then we've been very busy, talking to the people who make up our developmental services sector in this province, to get their input and ideas so that our plan truly reflects the priorities of people with developmental disabilities and their families. While we've been getting their ideas on a whole host of subjects, there are a couple of messages that were very loud and clear. We need to move now to strengthen specialized services for people who have the highest needs. We need to move now to create more homes for people who live in the community, not just the people who will be leaving our institutions but those who live in the community right now and are waiting for a home where they can get the supports they need, a home they can call their own.

I'm very pleased to announce today that the McGuinty government is investing \$41 million in a comprehensive plan to strengthen specialized care for people with a developmental disability who have the highest needs, and to create 390 new homes in the community through our Home of Your Own Initiative.

Our three-part specialized services plan focuses specifically on adults who have a developmental disability, as well as mental health issues and challenging behaviours. These are individuals who often need extra support to cope with serious behavioural disorders, psychiatric illness or behaviour that leads them to hurt themselves or others.

We know there's a tremendous demand for services right now in communities across the province, and in the coming years we're going to have hundreds more people returning to our communities from our facilities. We intend to be ready for them. That's why I'm happy to announce that we're talking about a bold, new approach today to strengthen services for adults with a developmental disability and very high care needs.

Part one of our plan is creating the first-ever community networks of specialized care for these individuals. We have lots of experience in Ontario when it comes to specialized services, but even the experts say that they can and must work together. That's what these networks will do.

There will be four regional networks across the province, each staffed by a team of professionals from a range of disciplines, including behaviour therapy, social work, psychology and nursing, to name but a few. These

professionals will pool their clinical expertise to provide the best care available for some of our most challenging clients. They will work closely with community agencies, hospitals, police and mental health units to provide a full range of community-based services across the province, services such as clinical assessment, consultations and behaviour therapy. For the first time ever in this province, they will give us a base of leadership for cutting-edge research and clinical care in the field of developmental disabilities and services.

We know there is great expertise and best practices across Ontario, here and there. What our announcement does today is link that greatness and that expertise so it is available across the board. No more patchwork: We need it available across the board. They will put us, as a province, on the leading edge of developmental research and services.

But we need to make sure we stay there. Having had the opportunity as the minister to travel with my colleagues across the country and see what happens in other jurisdictions, let us keep in mind that Ontario is a leader in this area of delivering developmental services in our communities, thanks in large part to our agencies that have allowed us to do that. These networks will modernize the way we provide services to reach more people and take advantage of the newest and best research in the field.

#### 1400

Secondly, our plan makes a three-year, \$300,000 investment in recruiting and retaining the young talent who will help us build a better developmental services system in the future. This initiative will begin with a \$100,000 commitment this year, which will support up to 20 students in a variety of health fields during the placement component of their degree or diploma. They will get on-the-job experience in disciplines such as behaviour therapy, social work, speech pathology and occupational therapy, through placements in designated specialized services agencies across the province. This investment will enhance opportunities for students to develop the clinical and research skills they need to provide the best in professional care for the next generation of adults with developmental disabilities.

As a final part of our specialized services plan, we are creating 90 new homes in the community specifically for individuals who have the highest care needs. Some of these homes will provide permanent, 24-hour care to individuals who are at risk of hurting themselves or hurting others. Others will be transitional spaces for adults who require a safe temporary placement because they are at risk of hurting themselves or their caregivers, or because their current caregiver needs additional training or support. These new homes are in addition to the 300 we are committed to creating for people currently living in the community who have been waiting for a home with the right services and supports to help them live and participate in their communities; a home they can truly call their own. Just to be clear, these are on top of the hundreds of places we are going to build for residents of

our facilities as they move to community life over the coming years.

We know that providing a strong network of community services is the key to making Ontario more inclusive. That is why we are taking a bold, new approach to strengthen services that will keep Ontario at the cutting edge of leadership and expertise in the developmental services: leading-edge networks to provide the best in clinical services, an investment in young people who will make our sector the best it can be, and 390 new homes in Ontario that give adults with a developmental disability a home of their own.

For people with a developmental disability, for their families and for the professionals who support them, this is an exciting time in Ontario, a time on which we'll be able to look back and say, "Today, we took a big step forward in building stronger, more inclusive communities for all of Ontario."

**The Speaker (Hon. Alvin Curling):** Responses?

**Mr. Cameron Jackson (Burlington):** Let me say at the outset that any time we receive an announcement that expands services to the developmental services sector it's good news. But I do wish to put on the record some of the concerns the association has expressed, as the government has made a fundamental decision to shift slightly the priorities for this sector in its announcement today.

I would be remiss if I didn't acknowledge my colleague John Baird and the work we did together with our multi-year plan: \$264 million, a quarter of a billion dollars, to this sector in a five-year plan. Why I raise this in the House today is very simply because there was a change in the government and we are waiting for the current Liberal government to honour some of the fourth-year commitments and virtually all the fifth-year commitments that were made and budgeted for this sector.

Today's \$41-million announcement over the next five years, although good news—I think it's worthy of note that we analyze exactly where this money is going and how it's going to be spent.

At the outset, in the first full year the only real guarantee for expenditure is the \$2 million that is going to the community networks for specialized care, and I see this as a positive initiative. However, when we listen to our community living associations across the province, we clearly get a deeper understanding of just how severe their challenges are.

One of the things this government has refused to acknowledge and include in its funding is the revitalization dollars. They still owe somewhere between \$27 million and \$35 million to those agencies, which are clearly about 25% behind the MUSH sector. Now that there is an agreement with Ontario elementary and secondary teachers, this real gap in wages may grow to as high as 50%. This is creating all sorts of problems in this sector.

I spoke earlier today with the St. Catharines and Niagara associations. They have a considerable concern. They have a 30% staff turnover as a result of the failure to flow the full amount of these revitalization dollars.

These agencies, over 100 of them across Ontario, have signed contracts in good faith, based on the promises made by the McGuinty Liberals when they campaigned and by the previous Conservative government, that the balance of the revitalization dollars would flow. They have not flowed and, as a result, there are huge staff turnovers. You can't blame these workers. To go to work for a school board and make \$5,000 or \$10,000 more money, not even to do quite comparable work that they are called upon to do every day in the settings that they do for persons with developmental disabilities—this is an issue that has been unaddressed in today's announcement.

There is the issue of the aging out of CAS wards in this province. This is a serious challenge. We have a growing number of wards of the CAS with developmental disabilities who age out between 18 and 21. The school boards are kicking these people out of school with a higher degree of regularity, because they have zero tolerance for any kind of behavioural challenges and lack the direct sensitivity to deal with these challenging students. As a result, foster parents, many of whom are in their 50, 60s and 70s, are saying, "We can no longer cope. We're not prepared to be a foster parent," once the CAS has their funding cut off. What happens is, these people become warehoused or they go to the front of the line of waiting lists all across Ontario, and that's unfair.

Finally, the growing waiting lists in this province are getting out of hand. It was this government that decided to accelerate the deinstitutionalization plan. It is this government's responsibility to now come forward with a plan that shows that they can build enough capacity in our province that every one of these residents will have a home. That is not included in today's announcement, and the proof of that is that most of the homes, 390 of them, are for the SIL program. This is supported independent living: less than 15 hours of supports in a given day. These are not the individuals in crisis. It's the 75-year-old husband and wife who have been caring for a loved one for years upon years, and they are getting pushed further back on the waiting list. I challenge the minister and her government to listen to these concerns and address them in the manner in which people were promised years ago.

**Mr. Michael Prue (Beaches-East York):** Any money to the developmental sector is good money. We cannot and will not stand here and say that any program that enhances the lives of people who need it is not a good thing.

However, I don't know where to begin. The plan today is for 390 people. I welcome that 390 people are going to have a good place to live. But we know that in Toronto alone there are 2,200 people on the waiting list for these very homes.

When the minister was asked today in the press conference how many people there were in Ontario on the waiting list, the minister couldn't answer it, nor could the people from Community Living Ontario. But it's our understanding that there are more than 6,000 people on



the waiting list. What the minister has announced today is but barely 6% of the actual need that is out there.

Would I say that to give 6% is wrong? No, I'm not going to say that, but I'm going to say it's not enough. It is not enough for the people out there who desperately need these services. It's not enough for their families, many of whom are getting older and want to have a place for their loved ones when they pass on.

It's not enough for the 1,000 people whom the minister also talked about today who are going to be deinstitutionalized in the next three years. There are going to be 1,000 more people added to that waiting list and there is not sufficient planning that has gone ahead to date.

#### 1410

We look at the agencies themselves, these agencies that do such a wonderful job for the community. We look at the problems that they have. Each one of the agencies has a backlog of how they are going to deal with the people who actually want to make use of their services. Each one of them is under some form of financial duress. They do not get enough money today to accomplish the lofty goals that we in this Legislature set for them. Many of them are being forced into closures. I know from my colleague from Timmins-James Bay that a community living centre in Timmins has been forced to close and that the people who used to be housed in that community are no longer able to do so. Sure, we can set up some new ones, but don't you think we should be trying to save some of the old ones that are in the community now?

The minister has not talked at all about or put forward any money for the real problem here, which is the turnover of staff who work for Community Living Ontario. There is a 25% turnover each and every year. The people who go into those jobs go in because they love those jobs, they want to contribute to the community, and they have a soft spot in their heart for those who need them. But they do not stay there, because the pay is so abysmal and bad and the working conditions are so bad, and the minister has said virtually nothing about that today.

We are afraid as well that these networks of specialized care that are being set up—and I use her words—will be the future victims of competitive bidding that has, so far this year alone, devastated the local community service agencies. Members on the government side will know that these were set up and they will know that what were once community agencies providing care for the poor, providing care for the aged and providing care for the infirm have now been taken over by private, for-profit agencies, because they are better able to meet the government's specifications.

The networks: Good idea for rural areas and northern communities, I'm sure, but what exists already in most of the urban core of Ontario is there, and I note that the networks are not going to include them.

The \$100,000 a year: That is going to train 20 individuals to get into the field, but how are you going to keep them there with the lousy wages that you pay?

Last but not least, the families are distressed again today in listening to the minister's announcement on the closure of the three centres: Huronia, Rideau and Southwestern Ontario. They are distressed, they are in trepidation, they are in fear, because they fear that their families are going to lose the homes some of them have lived in for 50 years. They know that the workers who work there are professional and will be hard to replace, and they know that the facilities are first-rate and there is no guarantee that the ones being built will come even close.

#### VISITORS

**The Speaker (Hon. Alvin Curling):** We have with us this afternoon in the Speaker's gallery the following former Speakers: John Turner, who represented the riding of Peterborough in the 29th, 31st, 32nd and 33rd Parliaments and was also the Speaker in the 32nd Parliament; Mr. Hugh Edighoffer, who represented the riding of Perth in the 28th through 34th Parliaments and was Speaker in the 33rd and 34th Parliaments; and also David Warner, who represented the riding of Scarborough—Ellesmere in the 30th, 31st, 33rd and 35th Parliaments and was Speaker in the 35th Parliament. Please join me in welcoming them here.

#### COMMUNITY LIVING DAY

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I believe that we have unanimous consent for each party to speak for up to five minutes in recognition of Community Living Day.

**The Speaker (Hon. Alvin Curling):** Do we have unanimous consent? Agreed.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I rise today in honour of Community Living Day in Ontario. For many of us as local MPPs, we know that the meaning of community living in our communities isn't just the name of a provincial association that includes over 100 local associations and represents more than 12,000 Ontarians.

Today in the House, we have the president of the Ontario Community Living association, Garry Cooke, who we met a moment ago. We'd like him to stand, as well as his executive director, Keith Powell, who is also in the House today.

These two individuals represent hundreds and hundreds of volunteer board members and staff people across Ontario who work in this field. In my view, those who work in this field of developmental services truly work in a vocation. They have a vision at Community Living that started over 50 years ago and continues to grow in our communities today, making them reach out and be more inclusive, more welcoming. That vision of Community Living is about opportunities and about participation.

Thanks go to Community Living Ontario. Because of them, thousands of people with a developmental dis-

ability are leading remarkably full lives today. They go shopping, to the theatre, to restaurants. They go out with their friends, take courses at community college, complete job placements and get jobs. Thanks to Community Living and that vision, people with developmental disabilities are part of our everyday community life. It is much different from where we were 50 years ago, and it is because they have pushed for this inclusion and integration in our communities that this has happened. Our galleries today are full of people from community living organizations right across Ontario. We say thank you to them, and thank you for coming here today.

Yesterday, Graham McKenzie came to visit me. Graham McKenzie is here today; he's standing and waving in one of our galleries. I had a distinct pleasure yesterday, because Graham was busy working. He was busy bringing us lunch. He brought the Premier lunch and he brought me lunch, and we had a chance to chat. Then he moved over and sat right in my minister's chair and decided he really liked the feel of that chair in the minister's office. We are glad to see Graham here today: another example of integration. People should be in this chamber. People should be in the Legislature. This Legislature represents Ontario, and when you're here and in every community, you are a part of everyday life, and we applaud you for that.

These community living agencies everywhere are doing a terrific job of supporting people with a developmental disability in the community, including individuals with very high needs. I recently read a letter in the Chatham Daily News from a family whose son has lived in a group home run by Community Living Chatham-Kent for many years. His mother describes him as needing total care: "in a wheelchair and completely dependent on staff for his physical needs." The parents can't say enough about this group, the home and the dedicated staff there who care for their son. The staff at the home always treat him with kindness and dignity. They take care of him when his family is not able. They don't know what they would have done for all these years without the help of such a caring organization as Community Living Chatham-Kent.

Community Living Welland-Pelham is another example of what it means to support people with a developmental disability in the community. They approached Burger King about an opportunity for employment for one of their members. After completing a job placement at Burger King and receiving on-the-job support provided by Community Living, he was hired by Burger King. Today this young man works four one-hour shifts at Burger King. He loves his job and the people he works with, and his boss wouldn't want to do it without him. This is a great example of community living in action.

Today, to the people of Community Living who are here and to those who couldn't make it here, we want to say thank you on behalf of the government and on behalf of all of the MPPs who represent Ontario. Thank you for setting a high standard when it comes to including and supporting people with developmental disabilities. We

know that the work of Community Living is very important, keeping families and communities together. Our government recognizes the importance of that and wants to continue the high standards they have set for us.

We also know we have to be ready to provide for future generations of Ontarians who have developmental disabilities. That's why we're working with stakeholders throughout the developmental services system to create a system that's fair and sustainable and that addresses the needs of them and their families across the province. We are hearing more and more about our plans, and more and more about the action we are taking. We've made a \$110-million announcement and another \$41-million announcement today: several parts of the plan we are bringing forward.

Earlier, I launched four networks of specialized care, about the interactive video conferencing that we have already launched and exists in many, many places in Ontario today. It's comforting to know that we can rely on Community Living to help us enact those plans.

On behalf of all of us—Garry, on behalf of all of the organizations—we say a grand thank you.

**1420**

**Mr. Cameron Jackson (Burlington):** On behalf of our leader, John Tory, and the PC caucus, many of whom are actively involved with their local associations for community living, we want to acknowledge this very important and significant event in the life of our province, and most of all to acknowledge those heroes who are with us in the chamber, and who will leave here today and continue to be heroes on a daily basis across Ontario as they help to teach us the importance of community living and full acceptance of persons who are not disabled but differently able, and that they have every right to live in our communities with dignity and respect, with access to all manner of support services, and to enjoy the quality of life we are so proud of in our province.

Members have heard me tell the story of my introduction to this. It was from my mother, who, 75 years ago, lived next door to Terry Sawchuk, the famous goalie. Terry had a much younger brother who had Down's syndrome, and it was the custom in those days just to leave this boy chained to a tree. That was accepted—almost the norm—in those days. For us to be here today, 75 years later, to acknowledge the 51st anniversary of the Community Living movement in this province is a great testament to the compassion of a great number of Ontario citizens who determined, through love and through care, that their children would enjoy as full a life as this province could provide.

As a young university student, I recall attending a lecture by Wolf Wolfensberger at York University, where the normalization theories were thought to be very radical in North America. Yet today they have become the standard and the norm in terms of acceptance and embracing individuals in all manner of life, but in particular to employers.

On a personal note, I want to commend my own association, Burlington Community Living, which I have



been a member of for 32 years. Just last weekend we had our Walk'n Roll fundraiser, which I started 30 years ago as its publicity chairman. It was an extraordinarily uplifting day of involvement and integration of people in our community. I salute not only the staff and the great team at Burlington Community Living, in fact all of them across Ontario, but also the parents and volunteers and the organizations that have made it a priority to support these agencies in their extraordinary work.

There are many challenges. Since we celebrated this day a year ago, we had a tragic death at Oaklands. All of us share the concern and grief associated with that. But there are a further eight or nine coroners' inquests currently engaged, and we have to ask ourselves fundamental questions if we're going to be closing three institutions: How are we dealing with organizations like Oaklands, which was an intake and assessment model that was to provide a degree of respite? Why has that now become a permanent home for so many adults with developmental disabilities in our province? What does that say about our commitment to deinstitutionalization? We still have much to learn about the challenges that befall us.

Earlier, I made comments about the aging out of CAS wards in the province, and I know the minister must be aware of this issue. It is a challenge every single day for our associations, and we call upon the government to acknowledge the substantive size of these waiting lists.

I want to acknowledge, as I did last year, two great pioneers for the People First movement: Patrick Worth and Peter Park. In my 20 years in this House, I've had occasion to meet with them on many occasions. They were pioneers as individual advocates from within the disability community, and they are just as worthy of our commendation as is Keith Powell, the executive director, and Garry Cooke, their current president. On behalf of our caucus, we wish to salute these modern-day heroes in our community. Thank you for being differently able and enlightening us on a daily basis.

**Mr. Michael Prue (Beaches-East York):** Ten years ago this very month, as the mayor of East York, I went to an event called The Three Guys. It was at the Mennonite Centre, St. Clair O'Connor Community, and it was an enlightening and wonderful experience. What happened was, these three young men and their families were there, and the three young men moved in together in an apartment of their own. One parent would stay per night and there was a worker there to help them. But the three young men, for the first time in their lives, had an opportunity to live independently, apart from their parents. And the three young men proved that they could do it, much to the surprise of their parents and to the general community, but probably not to themselves. This year marks the 10th anniversary, and they're planning a little celebration for the end of this month or the beginning of June. I hope to be at that, to commend them for the remarkable way that they proved themselves that they could integrate into the community.

I have to say that I'm proud that Community Living Ontario was there and showed us the way, and helped to

give a plan and helped the parents to develop that plan, and that they continue to do that for all of those intellectually disabled Ontarians so that they can prove that they belong and are part of our community.

I want to take a moment as well to thank the many staff, both those who are paid and those who are not paid, who work for Community Living Ontario. Those staff, many of whom are here today—and I can see some nodding to me in the gallery—work in very challenging circumstances. They work hard every day. We cannot possibly pay you enough for what you do, but I'm still going to try to make sure you get more. Because if anyone deserves more, they certainly do. They are underfunded; they go there because they love the work. We need to make sure that loving the work is not simply enough but that we give them satisfactory remuneration for doing exactly that.

I would like to thank the volunteers, and I have one in my community by the name of Marie Perotta, who heads up and works for Pegasus, the group that fundraises for intellectually disabled adults in the community, where they go for day programs. She has dances for them and visits and places to go—down to the beach. She fundraises every single Saturday at a place on Kingston Road where people bring in those goods that you might ordinarily find in a garage sale. Instead of holding a garage sale, you give the goods to them, they sell them and they fund all the programs, because there simply isn't money elsewhere. She was named this year's Beaches citizen of the year. We recognize her for her tremendous efforts.

This morning, I was hugely touched when I went to the press conference to listen to Donald Parent, who has made a successful transition from institutionalization to living and working in the community. He talked about his life. He talked about his wife and his cat—I think it was a cat, not a dog—about how he lived in his own apartment and how he is so happy with his accomplishments.

I was reminded of other groups, like the Dream Team, who have come and talked to people in this community about their life experiences and how they have made the transition and how they have asked this government to build more supportive housing so that people can get out of the institutions and find lives for themselves.

But I have to say, we need to talk about more. We need to talk about all of those who are waiting for the services of community living. We need to talk about where those monies are going to come from.

**1430**

The NDP caucus, to a person, supports community integration, but with this transition comes many challenges. We need to be certain that the funding and the supports are in place before we force people to make moves that they themselves are afraid of and that their families are afraid of. This is not the case at the moment. It is all very well and good to give lip service on this very special day, but lip service does not guarantee smooth sailing for those individuals who require special care and support. This government has not kept all its promises, and we're worried that this one may not be kept as well.

Part of the work done daily by Community Living Ontario is to keep ongoing pressure on government to immediately provide those supports to parents who have been forced to give up their children to the CAS in order to receive adequate treatment. As well, they continue the ongoing campaign to help families whose adult children live at home and are badly in need of additional Special Services at Home funding.

I listened today to Kathy Badeau, president of Community Living Toronto. She expressed her deep concern for those employees who provide community-based supports. She wants to know why the wages are 25% below employees in similar sectors. She stated, I think strongly, that we cannot afford to contribute to already high staff turnover by continually ignoring the staff who give so very much to those who need them.

The government can help by infusing badly needed dollars. The government can do very much, and I'm going to give five suggestions:

- (1) Help the people who are making a difference in the lives of Ontarians with developmental disabilities.
- (2) Don't force parents to give up their own children to get them the help they need.
- (3) Assist the families with adult children living at home in providing an appropriate level of support to keep them there.
- (4) Stop squandering our money to appeal court-ordered autism treatment for all those who need it.
- (5) Continue to celebrate this wonderful day.

I commend each and every member of Community Living Ontario for the strength and dedication they show, for the direction they are sending us in, and for the support they give to those who need it in our community.

## ORAL QUESTIONS

### POLICE SERVICES

**Mr. Tim Hudak (Erie-Lincoln):** A question for the Minister of Municipal Affairs and Housing: Today's announcement on police funding is yet another broken promise by the Dalton McGuinty government. In fact, when you look at the details, it works out to about 30 cents on the dollar, with municipalities required to fund the other 70 cents for each new police officer they hire. Minister, you've already cut municipal funding by some \$47 million annually under the new funding formula. How can you expect municipalities to pay 70 cents on the dollar when you're breaking promises and cutting funding to Ontario's municipalities like Grimsby?

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** Since it deals with police matters, I'll refer it to the Minister of Community Safety and Correctional Services.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I'm delighted to have the member of the opposition raise this question,

because it gives me an opportunity to share with the people of Ontario this great announcement we just made. For those of you who weren't there, I announced that this government is providing \$35 million a year in perpetuity to provide funding for police service officers. Just so you get the mathematics straight, the previous commitment of that government, which was the community policing program, provided \$30 million. This is a 12% increase and will provide at least about 50% of the cost of putting a police officer on the street. So rather than saying it's 35-cent dollars, it's a \$35,000-per-year cap on a program that, when we're finished, and we've picked up the obligation that you had—

**The Speaker (Hon. Alvin Curling):** Thank you. Supplementary.

**Mr. Hudak:** Back to the Minister of Municipal Affairs and Housing: I think municipalities and police forces will respond. They don't believe you. They know that this works out to about 30 cents on the dollar—far from your campaign promise during the last election. In fact, my colleague the member for Niagara Falls—

*Interjections.*

**The Speaker:** Order. This is the second question. Yesterday, I cautioned many of the members on the government side not to shout when there's a question being put, and I'd like some co-operation.

**Mr. Hudak:** As I was saying, my colleague the member for Niagara Falls, in Niagara This Week, April 1, criticized the 50-50 funding formula as not being good enough and said the Liberals would do even better than 50-50, yet we find out today that Dalton McGuinty's Liberal government is caught in yet another campaign promise.

Back to the region of Niagara: Some \$1.7 million was cut out of that region, just like many regions and counties throughout Ontario. Minister, I say to you, how is it possible for municipalities to hire these officers when you're cutting the funding, or are these officers simply to patrol the twilight zone of Dalton McGuinty's broken promises?

**Hon. Mr. Kwinter:** I couldn't have presented a better question myself, because I want to quote Roger Anderson, president of the Association of Municipalities of Ontario: "Crime prevention and community safety are front of mind for many citizens. This partnership"—referring to my announcement today—"will help growing municipalities that require additional police officers in their communities or help municipalities where they have identified a need to bolster their community policing needs."

I'm delighted that we are able to provide this funding; not only that, we're continuing your program, which was on a 50-50 shared basis. When this program is fully implemented, we will be providing the police services in Ontario with \$65 million per year.

**Mr. Hudak:** I know the minister probably doesn't know this, because I suspect the Ministry of Municipal Affairs has not been fighting for Ontario municipalities, but let me read off some of the municipalities that have



had a 100% cut in funding by the McGuinty government: Dufferin county, the city of Vaughan, the region of York gets zero dollars, Halton Hills, the region of Waterloo, Northumberland county, Oakville, the region of Durham, Middlesex county. I can go on and on.

Minister, 95 municipalities across Ontario will be getting zero dollars in ongoing funding from the Dalton McGuinty government despite your campaign promise to the contrary. Please tell me and those municipal leaders how they're going to pay for these new police officers when you've cut 95 municipalities' funding right to the bone.

**Hon. Mr. Kwinter:** I'd like to quote someone else. His name is Curly Everitt, president of the Ontario Association of Police Services Boards. He says, "Police services boards will adjust their budget planning next year, putting more officers on the street for community policing and drug enforcement.... Our members endorsed these proposals during earlier consultations, and we continue to support them today."

You never miss an opportunity to dump on a fabulous announcement. This is something where the police community is delighted, the municipalities are delighted, the police services boards are delighted, and I can tell you that we, on this side, are delighted.

**The Speaker:** New question?

**Mr. Garfield Dunlop (Simcoe North):** My question is also for the Minister of Community Safety and Correctional Services.

*Interjections.*

**The Speaker:** Order.

**Mr. Dunlop:** Jeez, it's unbelievable. Maybe he can't even hear me.

Minister, in today's announcement you claim that 500 of the new officers will be assigned duties related to youth crime, guns and gangs, organized crime, dangerous offenders, domestic violence and protecting children from Internet luring and child pornography. I'm not trying to make this mean-spirited in any way, but how many of the 500 officers will be allocated to the Ontario Provincial Police for specialized duties such as drug enforcement, and is the 100% cost per OPP officer included in your announcement of the \$35 million? I'm wondering, will there be any of that allocated to the OPP?

1440

**Hon. Mr. Kwinter:** I thank the member for the question and I thank him for being at the press conference. It was very nice of him to be there.

*Interjections.*

**Hon. Mr. Kwinter:** The program, as we have outlined it, is going to provide 500 police officers for community policing and 500 police officers for six areas of crime prevention.

We didn't just dream this up; this was done in consultation with police services boards, police chiefs and the associations. This was a requirement and a need that they saw that had to be addressed.

Section 10 municipalities, over 50% of the municipalities in Ontario, have OPP policing, and if they choose to participate in this program for their OPP officers, they're free to do that.

**Mr. Dunlop:** I appreciate your acknowledging that I was out at the press conference, Minister.

You announced, at the end of the fiscal year last year, \$30 million in training for fire departments. In this announcement, you allowed fire departments a great deal of flexibility in how they spend those allocations. It appears that the promise of 1,000 new police officers is dragging on and on. It started last September, and now we're having another announcement today asking for more detail. I'm just wondering why you're not showing more trust in the police by giving them the same kind of flexibility in the police services and in the OPP that you gave to the fire departments.

**Hon. Mr. Kwinter:** The answer is very simple: For the first time since 1982, a government has provided funding for firefighters. We provided one-time funding—and I stress "one-time funding"—totalling \$30 million. Every single fire service got money based on their population, one-time, and that's how it was done.

This is a totally different type of program. We will be funding this in perpetuity. We have to make sure that we understand what police services are going to participate. They have told us where they want their officers, and that's why we've designed that program that way. But once we make that commitment, we will continue it in perpetuity in the same way that we have continued the community policing program that you initiated. Your program was supposed to last five years. We've extended it in perpetuity. Just last week, I sent out \$30 million to police services in Ontario.

**Mr. Dunlop:** In a media scrum this morning, you said, "Municipalities have to tell us, once they see the parameters, what the uptake is going to be." The problem I have, Minister, is that in your platform announcement you just announced 1,000 new police officers. I know you've turned it into a municipal type of partnership where they will be funding a certain percentage—up to \$30,000 per officer.

My question is, with all these specific areas that you outlined, like child pornography, gang violence and grow-op operations etc., do you plan on expanding the number of officers in the Ontario Provincial Police to accommodate those divisions of the OPP so they can do their job as well?

**Hon. Mr. Kwinter:** First of all, I want to correct the member. The amount is not \$30,000 per officer; it's close to \$35,000 an officer. We actually provided a 12% increase over the previous program that was put in place by your government.

The OPP is currently doing an outstanding job. I can tell you that under section 10, as I said, they provide policing in over 50% of the communities in Ontario. They will be able to access that through the municipalities that they have contractual arrangements with. The main thing about this program is, we are putting

1,000 new police officers on the streets, and we are putting them in areas where the police, the police services boards and the municipalities themselves have identified that they need help.

### SOCIAL ASSISTANCE

**Mr. Michael Prue (Beaches–East York):** My question is to the Acting Premier. Acting Premier, your Bay Street budget leaves disabled people behind. Before the election, you said, and I quote from your own pamphlet, “We will implement a cost-of-living adjustment to both OW and ODSP, and this will occur on an annual basis.” You and your cabinet colleagues have decided you are going to break that promise. Minister, tell the people gathered here today on Community Living Day why you have betrayed them and put nothing in this year’s budget for disabled people on ODSP.

**Hon. Leona Dombrowsky (Minister of the Environment):** I know the Minister of Community and Social Services is very anxious to answer this.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women’s issues):** If I may say, in last year’s budget, for the first time in 12 years, people on social assistance saw a 3% increase, which was double the level of cost of living in that year. That went beyond the Premier’s commitment to make a cost-of-living adjustment to the welfare rates. We understand the level of supports that people who are on the Ontario disability support program need, and we continue to work on ways to improve their lives.

Everything that we do across our government means that every minister has to collaborate to find solutions for people in need. Just last week or two weeks ago, we had a tremendous announcement on housing allowances, on a housing program, because we know that a significant cost to people is how much they pay to live and rent. We know we are coming together with solutions on a regular basis. I appreciate that that’s not enough for the NDP. We will continue to move forward.

**Mr. Prue:** Every member of this House, including the honourable minister, got a 1.9% increase, and yet those on OW and ODSP get nothing.

Here is what the Toronto Star said about your discrimination against disabled people. I’d like to quote them: “On Tuesday, citizenship minister Marie Bountrogianni was trumpeting a new era of accessibility for people with disabilities. Barely 24 hours later, finance minister Sorbara’s budget brought us back to reality with a thud. He has absolutely ignored the needs of people struggling to get by on the Ontario disability support program.”

Minister at the cabinet table, did you fight for the rates for people with disabilities or did you just roll over and agree with your colleagues that you should break the most important election promise you made?

**Hon. Ms. Pupatello:** I think what’s very telling today is that this is the same member from a party who did not vote for this act, who took years away from people who

have been waiting to see a real act for people with disabilities. We applaud and hail our Minister of Citizenship and Immigration, who was hailed by the people in these galleries today, by Community Living Ontario. They stood up and said that this is the best act they have seen to improve the lives of people with disabilities. Let me say to this member opposite that we in this government, across ministries, are working every day to improve the lives of people with disabilities. We will continue to do that. We will continue to move forward on accessibility, on fairness issues, on making people and all of government responsible for these individuals.

**Mr. Prue:** I hope the minister will read the note she just got, because it was unanimous. I voted for it and so did every other member.

Minister, today’s Toronto Star says that last week’s budget “leaves the province’s most disadvantaged citizens behind.” They detected “a compelling kind of arithmetic at work,” and said “Health and education expenditures are vote-getters. Welfare spending isn’t.” Minister, tell the people of Ontario, when the time came for you to break your promise to disabled people on ODSP, did you do it because you were too weak to fight for them or because it was politically easy to ignore them?

**Hon. Ms. Pupatello:** I have been called a lot of things, but that one is going to be new to the list; let me say that first. Let me just say that this member clearly does not remember the hallmark of the budget last week which will, in turn, help 32,000 low-income people with post-secondary education, and we thank Mary Anne Chambers for that fabulous part of the budget. Let me say to Minister Caplan how proud we were of him with—finally—a housing agreement that will help folks who come to my ministry for help. Let me tell you, if you had paid attention even for a nanosecond to the number of things we announced yesterday in this House to help move people from welfare to work—finally there’s a government that will have people working for a living instead of working for welfare. You should pay attention to this House.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Let’s see if the government side can settle down a bit.

1450

### PENSION PLANS

**Ms. Andrea Horwath (Hamilton East):** My question is to the Minister of Finance. There is another group of people who didn’t get anything from your budget, and that’s Ontario’s pensioners. I have been touring around the province recently and people have been telling me that the rules governing Ontario’s workplace pensions need a major overhaul, not just minor tinkering, which is what happened in your budget. About 60% of Ontario workers have no pension plan at all. Of the minority of those in the private sector that have pension plans, 83% are not indexed to inflation, so month after month their



income erodes because it's being eaten away by rising inflation.

Minister, it's been almost 20 years since we've had any significant pension reform in the province. Where is your plan to deal with Ontario's growing pension crisis?

**Hon. Greg Sorbara (Minister of Finance):** I'm delighted that my friend from Hamilton has raised this question. It gives me an opportunity to remind her and this House and the people watching us of the steps we've taken over the course of the past 19 months to direct attention once again, finally from the government of Ontario, to Ontario's most vulnerable.

For example, she talks about pensioners. In last year's budget, we were able to provide a 25% increase to seniors in this province who are on low and fixed incomes. This year in the budget, as my friend the Minister of Community and Social Services noted, we will be providing some 15,000 additional affordable housing units across the province. In this budget we are matching what is being proposed in the federal budget to provide more assistance for low-income people, seniors and others as well.

She mentions that there has been no major review of the pension system in Ontario. What I'm telling her is that, within this government, we finally have—

**The Speaker (Hon. Alvin Curling):** Thank you. Supplementary.

**Ms. Horwath:** Minister, the truth of the matter is that very few people who are vulnerable in this province saw very much in that budget at all, whether it's autistic children, families depending on ODSP, and even pensioners.

I want to focus on a pension issue, specifically one that illustrates the crisis in the pension system right now. We have the pension benefits guarantee fund, which you know about. It's a backup fund for pensions. That backup fund hasn't been updated since 1980 and right now it's unable to protect the pensions of millions of Ontarians. The pensions of millions of Ontarians are at risk, and also we are in a situation where the \$1,000 maximum monthly guaranteed amount that the fund backs up has been frozen for 25 years. That \$1,000 is completely inadequate to protect existing pensions. What are you going to do about that?

**Hon. Mr. Sorbara:** My friend from Hamilton East was not a member of this Legislature many years ago when the New Democratic Party changed the Pension Benefits Act and created a lack of stability in the pension benefits guarantee fund that we have taken some 13 years to work our way beyond. I just want to tell her that the good news is that in our budget last year we were able to make a \$330-million, one-time payment to the pension benefits guarantee fund to ensure that under that act the pensions of people in Ontario were safeguarded. I am able to say at this point that finally, once again, there is stability in that fund under that act.

**Ms. Horwath:** Minister, I really think that your callousness on this issue is a bit frightening. There are 2,300 members right now participating in the Co-operatives of Ontario pension plan whose very modest

pensions have been cut in half because of your unwillingness to reform the pension system.

But it's not just the guarantee fund that needs fundamental reform. You'll know that that this province should also implement mandatory indexing so that modest pensions are not eroded by inflation. We need to have expanded employee involvement in the governance of plans, and that's not just plans like OMERS. From that huge plan to the smallest pension plan, employees need to have more of a say over what's happening in their plans. Minister, will your government move on, and will we start getting some fundamental changes to our pension system in Ontario?

**Hon. Mr. Sorbara:** My friend mentioned one group in particular, the co-operative pensions. I remember meeting with those pensioners even before our government was elected. Without getting into the details of their particular case, I should advise you and the members of this Legislature that I think they have now initiated an action against certain trustees of the plan, and that court action will be proceeding. Under those circumstances, it would be entirely inappropriate for me to comment on the particular case.

But I would like to say to my friend, who raises the issue of pensions, that for the first time in many, many years, we have some stability in the pension benefit guarantee fund. We are completely conversant with the issues that are facing pensioners in this province, and I think it's safe to say that the issue is in good hands.

## ENVIRONMENTAL LEGISLATION

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** To the Minister of the Environment: This morning I received over 70 government amendments to the spills bill, Bill 133—70 amendments that will leave Bill 133 unrecognizable. That's 70 amendments that suggest this bill is flawed. They say, "Go back to the drawing board." Minister, why continue this charade? Why will you not scrap the bill and, as we read in the media, leave it to your successor to work with stakeholders and get this bill right?

**Hon. Leona Dombrowsky (Minister of the Environment):** I'm surprised that the honourable member, if he has read the proposed amendments that have come forward, would suggest that he was surprised by those amendments. I think the amendments demonstrate that this government has used the committee process appropriately and that we have listened to what the people in the committee have recommended we pay attention to. If you were paying attention during the committee meetings, you would now know that the proposed amendments in fact reflect exactly what the deputants recommended that this government consider by way of amendments.

**Mr. Barrett:** Minister, I'm surprised that you provide no amendments for tax breaks or other incentives for investments in plant and equipment to prevent spills. This was recommended in your own industrial pollution action

team report, the supposed basis for Bill 133. The IPAT report recommends "a legislative framework that incorporates economic or other incentives to go beyond compliance."

Minister, why are you stuck in the command-and-control-and-penalize old school? Why have you ignored your own IPAT report, a report that recommends carrots, something beyond sticks?

**Hon. Mrs. Dombrowsky:** It is unfortunate that the honourable member doesn't do more homework, because if he did, he would know that our government has implemented the environmental leaders program. There are many fine industries across the province that are participating in the environmental leaders program. This program is offered to those industries that demonstrate environmental leadership and go above and beyond their regulatory requirements, and when they do so, they enter into an agreement with the Ministry of the Environment. It means that they are subject to fewer inspections, based on their good performance. So we do, in fact, have very solid carrots for good environmental performers.

We know that the member and the party opposite are in favour of allowing polluters to get away and communities to be left not compensated when spill events happen. Our government is committed to the idea that if you spill, you pay.

1500

#### POLICE OFFICERS

**Mr. Peter Kormos (Niagara Centre):** I have a question to the Acting Premier. Your government keeps claiming that you are funding 1,000 new police officers on the streets of Ontario. Well, today's announcement is the same announcement that was made seven months ago, in October 2004, and my question to you is this: How many of the 1,000 new police officers that you promised seven months ago were hired pursuant to your funding proposal?

**Hon. Leona Dombrowsky (Minister of the Environment):** The Minister of Community Safety will answer this.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** Just so you'll understand what our commitment was, we said that we would provide 1,000 new officers during the term of our mandate. OK?

*Interjections.*

**Hon. Mr. Kwinter:** You may think that's funny, but that is what the commitment was.

Today we made an announcement that was universally acclaimed, and I would like to share another quote with you. This is a quote from Chief Armand LaBarge, who is the first vice-president of the Ontario Association of Chiefs of Police and in one month's time he is going to become the president of the Ontario Association of Chiefs of Police. He says, "Putting new police officers on Ontario streets is an investment in our communities.... It's important that the Ontario government, police leaders

and police service boards continue to work together to ensure that all police services can benefit from this and future programs."

That is what we're doing. We are honouring our commitment, and I'm delighted, as I've said before, to have been able to share this.

**Mr. Kormos:** We know exactly how many new police officers were hired as a result of your announcement in October 2004, because we talked to those police service boards and police associations: None. Not one cop was hired as a result of your promise in October 2004 to put 1,000 new cops on the streets of Ontario. And that promise isn't going to be kept now either, because municipalities across Ontario can't afford to pay for your promises. When are you going to fully fund 1,000 new cops, rather than giving municipalities 35-cent cops that they simply can't afford, and you know it?

**Hon. Mr. Kwinter:** The member thinks that bluster overcomes rationality. Just so you'll understand how the program works, the municipalities have to decide, once they get the criteria—and that's what we announced today—how many officers they're prepared to take up. They will be sharing in 50% of the amount of money we are providing. That is the program we are contemplating. That is the program that is already in place under the community policing program. And when we are finished, we will be providing funding for 2,000 new police officers, because we're continuing to fund the first 1,000 and we'll be funding the second 1,000.

#### SOCIAL ASSISTANCE

**Mrs. Donna H. Cansfield (Etobicoke Centre):** My question is for the Minister of Community and Social Services. Yesterday in the House you announced that the McGuinty government is helping Ontario Works clients to move from welfare to employment by overhauling the existing social assistance programs. This government is removing barriers that were embedded—built, actually—and maintained by the previous government. We are now empowering people through Ontario Works, as clients, so they can get themselves back into the community with some dignity and respect.

Your parliamentary assistant, Deb Matthews, came to my community, as she came to many communities throughout her consultations, and spoke not only with folks who were on Ontario Works but also with the community agencies themselves.

I'd like to know if you could tell us exactly what types of programs are being put in place, with what kind of assistance.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I very much appreciate the question, especially because it highlights the tremendous work done by my parliamentary assistant, Deb Matthews.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** She rocks.

**Hon. Ms. Pupatello:** She rocks, as the Minister of Health says. She went far and wide across Ontario and



she did speak with front-line people working in agencies. She spoke with clients, people who are in receipt of social assistance, and spoke to them directly. What's really important is that we really did hear what the barriers are that are stopping people from going into work. Much of those barriers are our own rules, rules that were created when workfare was launched back in 1998. Unfortunately, those have been very prohibitive. We've started to take those down. Of the 800 rules that make it so difficult for people to manoeuvre through that system, we've started looking at which ones we can eliminate.

Firstly, we have simplified the rules on those earnings exemptions. Right now, we have changed it so that it is 50% across the board. No more funny rules, no more two years and then it's over. It is extended. Any time people want to work, even on a part-time basis—we believe they need to be in the workforce and we're making those changes.

**Mrs. Cansfield:** Minister, it's good to hear that we're helping to remove these barriers to work and giving social assistance clients more support. I also understand that these new and innovative measures are in addition to the improvements we've made in the past. I remember the first time I heard that if someone on social assistance actually was saving money for their child's education—the registered education savings plan—they were penalized for helping to save for their children's education. I thought that was unconscionable. We've removed that barrier. Most recently, we launched JobsNow. It's a pilot project that will provide ongoing individual job placement.

Minister, for clarification, what I'd like to ask you is to please explain the difference between the full-time employment benefit and the current employment start-up benefit, and what additional health and child care deductions and benefits will be included.

**Hon. Ms. Papatello:** What we have done is created this employment benefit, which is a \$500 fund that individuals can now access in order for them to move into a full-time job. What we know is that once you start working full-time, there are costs associated with that. Individuals who have been on welfare, especially for some time, simply don't have the money to buy the uniform required for the job, to buy the work boots or the steel-toed boots or whatever it's going to take.

*Interjections.*

**Hon. Ms. Papatello:** I appreciate that the members opposite are yelling and don't like what we're doing, but—

**The Speaker (Hon. Alvin Curling):** Order. The member from Nepean—Carleton, I'd like you to come to order.

You have 10 seconds.

**Hon. Ms. Papatello:** In addition to that, we've also increased, for the first time in 16 years, the exemption for informal child care from \$390 to \$600, very much in keeping with what moms who are on welfare today need. We're very pleased with this next but very large step, the

most significant of which is being able to keep that drug card a little bit—

**The Speaker:** Thank you. New question.

## MEAT INSPECTION

**Mr. Ernie Hardeman (Oxford):** My question is to the Minister of Agriculture and Food. Meat inspectors in Ontario are in a position to strike and will in effect bring the processing of meat and provincial abattoirs to a halt. By allowing meat inspectors to become part of a union, you have actually put food safety in grave danger. This certainly is not what beef farmers who are already reeling from the effects of BSE need.

Minister, the Ontario Federation of Agriculture and the Ontario Independent Meat Packers and Processors both expressed concern when you made a purely political move and brought meat inspectors back into the Ontario public service. Now that we are faced with the real possibility of a strike, we ask the Minister of Agriculture to take responsibility for the results of his actions. Minister, what are you going to do to help the farmers, the provincial abattoirs and their employees when the meat inspectors go on strike?

**Hon. Steve Peters (Minister of Agriculture and Food):** I'm very disappointed in the question, because there are ongoing negotiations taking place, and I think the member is being a little presumptuous.

I would say that, when it comes to food safety, food safety has been the number-one priority of this government. Unlike the previous government, the previous minister, who raced around the back roads of Huron county, running away from reporters in dealing with food safety issues, we're not afraid to run away from food safety issues, unlike a government that in 2001 passed the Food Safety and Quality Act and sat on it and sat on it. It did not do anything for food safety in this province. They turned their backs on food safety. We weren't prepared to do that.

As well, we saw unprecedented turnover in meat inspectors in this province. In excess of 30% of our meat inspectors were turning over because the previous government had privatized that service. We recognize the importance of that service, and we brought those individuals back into the public sector.

1510

**Mr. Hardeman:** I just want to point out that the meat packers in this province are not interested in your opinion of previous governments; what they would like is an answer as to what they're supposed to do if, through no fault of their own, they cannot open their processing plant.

Minister, the Ontario Independent Meat Packers have asked you to deem meat inspection an essential service. What I hear from the independent meat processors is that you don't consider meat inspection an essential service. Your essential service agreement only includes 16 meat inspectors, and I understand that these 16 meat inspectors won't be ensuring the safety of meat slaughtered; instead,

they will travel the province and make sure that not one of the 192 plants is conducting slaughter.

Minister, again, what are you going to do to help our farmers and meat processors avoid financial devastation if there is a work stoppage in the civil service? Could you please answer to the meat processors in the province what you intend to do if the strike puts them out of business? Would you please help them and inform them? Don't tell us what you think; tell us what you're going to do.

**Hon. Mr. Peters:** I would like to refer this question to the Chair of Management Board, please.

**Hon. Gerry Phillips (Chair of the Management Board of Cabinet):** Let me inform the member opposite what we are doing. We very much value our public service. We thought it was a big mistake to privatize the meat inspectors, and we brought them back in.

Where we are putting our time and attention is in reaching a fair and equitable agreement with our employees. That is where I'm devoting my energy. As I say, we value our public servants. We are dedicated to reaching a fair collective agreement with them and, at the same time, we're dedicated to preserving the safety of our meat in the province, the safety of our institutions.

I would just say to the member, it was a big mistake to privatize those inspectors. We have brought them back into the public service. We are dedicating our time and energy to reaching a fair and equitable agreement with our employees, and that is what we intend to do.

### POLICE USE OF TASERS

**Ms. Andrea Horwath (Hamilton East):** My question is for the Minister of Community Safety and Correctional Services. Minister, what are the provincial standards and protocols specifically governing the use of Tasers by police in Ontario?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** The member will know, or should know, that Tasers have been authorized for specific use in Ontario for some time. The only thing that has changed recently is that there was a particular Taser, an M26, and now there is a new and better Taser, an X26, and we've approved that for use. That is something that is available to police services across Ontario. They have protocols. They themselves have those protocols as to how they are to be used, and it's effective. We are convinced that they're less than lethal, and as a result they're a good alternative to a lethal weapon.

**Ms. Horwath:** In Hamilton last week, police chased down a 15-year-old boy and shot him twice with a Taser. He didn't commit any crime. In fact, he wasn't even charged by police with any crime at all. When the police use Tasers on unarmed teenagers, frightened kids, don't you think there should be some Ontario standards for the police and their use of Tasers? Why haven't you developed any province-wide?

**Hon. Mr. Kwinter:** I can tell you that before we authorized the use of Tasers, we made sure that they were

properly tested and that the proper procedures were in place.

I cannot comment on a particular incident in a particular police service. That is something you have to deal with in that particular police service. I do not monitor the police services and their operation; that is the responsibility of the chiefs and their police services boards. All I can tell you is that in our ministry we evaluated the use of the Taser and we stand by our decision that it's a far better alternative than using a lethal weapon.

### WATER QUALITY

**Mrs. Carol Mitchell (Huron-Bruce):** My question is for the Minister of the Environment. Ontario's drinking water system regulation 170 has certainly been a cause for concern in my riding. Many people have written me or come into my office to share their concerns about very poorly crafted legislation in the past.

Regulation 170 was introduced by the previous government following the Walkerton tragedy. While perhaps well-intentioned, the previous government failed to anticipate the excessive costs that the water testing and treatment requirements would impose on community halls and small businesses in rural Ontario.

I know that you ordered a review of reg 170 last year and, as I recall, this review included the appointment of an independent advisory council that held public consultations. Could you please explain to the members of this assembly and to the people of Ontario what these consultations determined and what the advisory council recommended?

**Hon. Leona Dombrowsky (Minister of the Environment):** I appreciate the question from the honourable member, and I know that members on all sides of this House, particularly those representing rural and northern communities, appreciate the challenge that regulation 170 presented within our communities. There were community halls, Legions and bed-and-breakfasts that were on the verge of closing.

And I know that all members of this Legislature would want to join me in congratulating the good work of the advisory council. We also received a great deal of support and assistance from AMO and from ROMA. We consulted with these groups extensively. As a result of the good work they have done, they've provided excellent recommendations, and I'm very pleased to say that we are now able to bring forward what I believe to be a risk-based approach to managing safe water, particularly in rural and northern communities across Ontario.

**Mrs. Mitchell:** Thank you very much for explaining to members of the assembly and to the people of Ontario what the public consultations determined and what the advisory council recommended. Could you please describe some of the key changes that the government is making to reg 170, and provide the people of Ontario a reassurance that the protection of public health will not be compromised?



**Hon. Mrs. Dombrowsky:** I'm very happy to say that the Ministry of the Environment put out a release yesterday explaining when and how the new and improved regulation will take effect across the province of Ontario. I've already indicated that we are taking a risk-based approach. We heard very clearly through the recommendations, and certainly from the many people who presented in communities across Ontario, that they value the role that health units could potentially play. That is definitely a part of the regulatory framework we are bringing forward. It will reduce costs for most community halls, small rural businesses and bed-and-breakfasts in Ontario. But what is most important to keep in mind is that our number-one priority is to ensure that water is protected and that people will be accessing safe and clean drinking water.

It's also important to share with you today that facilities that still have to comply are those that provide services for vulnerable children and the elderly, and municipally owned residential drinking systems as well as private systems that serve year-round trailer parks and subdivisions.

#### HYDRO RATES

**Mr. John O'Toole (Durham):** My question is for the Minister of Energy. My colleague and our critic for northern development, MPP Norm Miller, has recently completed a working fact-finding tour across northern Ontario. He heard how hard your excessive health tax and soaring electricity costs are hurting northern Ontario. Furthermore, your plan to close the coal plants at Thunder Bay as well as Atikokan will also cost jobs and put at risk not just the reliability but also the affordability of electricity. Minister, do you understand any of your energy policies and how they're threatening jobs and the economy of northern Ontario, and can you, for once, please tell the people of Ontario what your true-cost-of-electricity plan is?

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** We've closed Lakeview, and we have outlined a number of options that we're looking at with respect to the other coal-fired plants. Let me be clear: We will close all of Ontario's coal-fired plants, as per our commitment. We believe that is in the interest of the economy and in the interest of the environment. We believe the people of Ontario will extract enormous benefits. I can tell the member opposite, for instance, that there are already close to \$7 billion worth of new energy projects under development in Ontario, in the ground, with the creation of literally hundreds of jobs. We believe it is important to improve our environment, to bring down the rate of asthma, to bring down all the downsides associated with coal-fired plants. We're moving to close those plants in a responsible fashion that protects the interests of all the communities affected.

1520

**Mr. O'Toole:** Again, Minister, there's a headline today in the *Globe and Mail* on the forestry sector, and

they're quoting here: "Warns of ... 'consequential damage' in Ontario without government relief." Frank Dottori, president and CEO of Tembec, in the forest industry, said that governments "must shoulder some of the blame for the financial straits the forestry sector finds itself in." He went on to blame your high "taxes and the layers of costs" of putting the forest industry out of business. Mr. Dottori singled out—here's what he said—the "soaring electricity rates in Ontario and an absence of a government policy" for the sector.

Minister, the question is very simple: What is your energy policy, not just for this sector but indeed for all of Ontario? Think of industries like the petrochemical industry, the steel industry, the auto sector. Minister, this is about the jobs and the economy of Ontario, and you have no plan.

**Hon. Mr. Duncan:** Energy costs are an ongoing problem for the resource-based industries, and I can assure you that this government is dealing with that. I remind the member opposite that Tembec closed four plants today. Three of them were in Quebec, where you have the lowest-priced electricity in the world. There are a number of factors affecting that industry and a number of other resource-based industries. This government takes those challenges very, very seriously.

I'll also remind you that John Tory never even mentioned the forestry industry in his 2004 leadership platform. Given a choice between Dalton McGuinty and this government and our approaches to the resource development industry in the north, I believe that this party and our Premier have the answers that are needed to assist this economy, particularly the north, as we move forward into the future.

#### RESEARCH AND DEVELOPMENT

**Ms. Andrea Horwath (Hamilton East):** My question is to the Minister of Economic Development and Trade. Because of the disarray in your ministry, Ontario is likely going to lose a world-class molecular research project. The project Blueprint Initiative is creating a large and growing biomolecular database for scientists around the world. Already the project has been forced to lay off half its staff, and the entire project is very much at risk of being lost to Singapore because your ministry hasn't had the opportunity to come up with the funding. How many world-class research facilities does Ontario have to lose before your ministry gets its act together?

**Hon. Joseph Cordiano (Minister of Economic Development and Trade):** Let me thank the member for the question, first of all. The McGuinty government is funding research in this province to the tune of \$1.8 billion over four years. Recently, we matched the latest CFI round of funding to the tune of \$53.2 million, and I want to go through some examples of the funding: new therapies for Alzheimer's disease at the University of Toronto; a centre for the study of chronic gastrointestinal disease at McMaster. There's a long list. We've funded research at a very high level.

What happened with previous rounds is that we matched CFI funding. That is done on a regular basis. There are subsequent rounds. What I say to this group is, bring forward a proposal. This group, in fact, has not even made an application to our ministry in a formal way. The door is always open. We want to make sure that we don't lose any fine researchers anywhere.

**Ms. Horwath:** Minister, you just don't get it. I know you have a nice list, but that's not the only organization that's having trouble with your ministry. In fact, Marcel Chartrand, a Genome Canada spokesperson, said, "Provinces have been very good supporting (such) initiatives coming from their regions. Ontario has not, unfortunately. And that, you know, becomes a problem eventually." This is from Marcel Chartrand, Genome Canada, another person who's saying that your ministry doesn't have its act together. I repeat: How many world-class research projects does Ontario have to lose before you do get your act together?

**Hon. Mr. Cordiano:** I don't know what this member is talking about. As usual, she has her facts all wrong. The CEO of the Ontario Genomics Institute said that the delay had nothing to do with Ontario's plan. I quote its Christian Burks, who said, "The delay as Ontario rejigged its funding plans was not to blame." Clearly, that is not the case.

I say to the member: These proposals are peer-reviewed, and they're also looked at for their business case capability. The proposal should be brought forward, and I say, the door is open. If there is an additional proposal, we will look at it, it will be peer-reviewed and a business case assessment will be made. No one is being turned away in Ontario. As I say, we've funded all the CFI rounds previously, and we will continue to fund those CFI rounds: \$1.8 billion, I repeat, over the next four years. That's what this government is committing to research.

## HIGHWAY CONSTRUCTION

**Mr. David Zimmer (Willowdale):** My question is for the Minister of Transportation. Minister, yesterday you were at the Ministry of Transportation's state-of-the-art Compass facility and made an announcement about highway construction in the GTA. How much has our government committed to provincial highway construction in the greater Toronto area, and specifically what benefits can the people of the GTA expect?

**Hon. Harinder S. Takhar (Minister of Transportation):** I am very proud of the announcement that we made yesterday. It is about the record investment we are making in our highways: about \$1 billion in total. Out of that, \$620 million will be spent in the GTA alone. What that really means to the GTA is that we will have, in total, about 33 projects. It will mean 100 kilometres of new lanes and 76 bridges repaired. We will be repaving 600 kilometres of highway, and 47 kilometres of Highways 404 and 403 will have HOV lanes. In addition to that, on the 401, we will have 36 kilometres of new con-

crete barriers. We are committed to easing the congestion and making traffic smoother on our highways.

**Mr. Zimmer:** That, indeed, was a very large investment in the greater Toronto area. But what about the rest of the province? How will the rest of Ontario benefit from this record investment?

*Interjections.*

**The Speaker (Hon. Alvin Curling):** I think the minister is prepared now to answer the question. Order.

**Hon. Mr. Takhar:** We are investing \$1.1 billion in our highways. Let me just say what we are doing outside the GTA. We are investing \$140 million in the southwest region, and that means 22 new projects. We will be widening Highway 401 from Windsor to Tilbury and from Cambridge to Woodstock, and we will be repaving about 15 kilometres of Highway 3. In the eastern region, we will be spending about \$100 million on 20 new projects. In addition to that, in northern Ontario we will be spending almost \$290 million. That will mean we will have 24,000 people employed to keep this work going in the province.

*Interjections.*

**The Speaker:** Order. Maybe your colleagues don't want to hear the answer. It doesn't seem so. Member from Nickel Belt, come to order.

1530

## TRANSIT FUNDING

**Mr. Frank Klees (Oak Ridges):** My question is as well to the Minister of Transportation. Phase one of York region's Viva rapid transit will be operational in September. You will know that when I was Minister of Transportation, I committed \$50 million on behalf of the province to that project, and I was pleased to see that you honoured that commitment. The region of York not only committed their \$50 million but since then has contributed an additional \$30 million.

You will know that phase two will require an additional commitment of \$7.3 million from each of the levels of government. Will you today commit, on behalf of the province, to a \$7.3-million investment in phase two of this important transit project?

**Hon. Harinder S. Takhar (Minister of Transportation):** Our government is absolutely committed to improving transit in this province. It's interesting to note that the member from the opposite side is asking me this question, because it took them 10 years to destroy the transit system in this province. We are rebuilding it.

It's true that he made the announcement, but we actually delivered the cheque. In this budget, we are spending a considerable amount of money to move our transit forward because we feel it is important for our province to keep doing that.

*Interjection.*

**The Speaker (Hon. Alvin Curling):** Minister of Public Infrastructure Renewal, come to order.

Supplementary.



**Mr. Klees:** Minister, I complimented you on delivering that cheque, and I'm pleased that this project has gone forward. What I'm asking you now is whether or not your government will come to the table for this very important second phase of this project. It is \$7.3 million. The region is prepared to commit that, they're asking you to commit that, and I'm sure the new member from Newmarket in the Liberal government will ensure that the federal government does its part. Will you today commit on the part of the province of Ontario to deliver that funding to York region?

**Hon. Mr. Takhar:** We are absolutely committed to moving forward with the EA on the next project, and we are giving York region \$1.5 million to do that. As I already said, we have given \$50 million for the first phase of the project. Once the EA is done, we will be sitting with York region and we will see where we need to go with this project. We will support them the way we can to move forward with this project.

### VISITOR

**The Speaker (Hon. Alvin Curling):** I just want to draw your attention to the fact that joining us in the Speaker's gallery is a former parliamentarian for the federal Parliament, Mr. Jesse Flis.

**Mr. Tim Hudak (Erie-Lincoln):** On a point of order, Mr. Speaker: Given the timing, I would like to seek unanimous consent for the member from Nepean-Carleton to ask a question, just in case.

**The Speaker:** Do we have unanimous consent? There is an enthusiastic no here.

### PETITIONS

#### GRAVENHURST HYDRO ELECTRIC INC.

**Mr. Norm Miller (Parry Sound-Muskoka):** I have a petition from constituents in the Gravenhurst area.

"To the Legislative Assembly of Ontario:

"Whereas the town council of Gravenhurst has accepted the offer from Veridian Connections Inc. to purchase Gravenhurst Hydro Electric Inc.;

We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario Energy Board deny this purchase on the basis that it is not in the best interests of the present and future ratepayers in the town of Gravenhurst."

I know there are thousands of signatures on this petition.

#### ANTI-SMOKING LEGISLATION

**Mr. Bob Delaney (Mississauga West):** I have a petition here from Cindy Ferrier-Hastie of Hollypoint Avenue, Patricia Miller of Banwell Road and some of their neighbours in western Mississauga. It's regarding

the banning of smoking in public places in Ontario. It reads as follows:

"We, the undersigned, petition the Ontario Legislative Assembly as follows:

"Whereas some 16,000 Ontarians each year die of tobacco-related causes; and

"Whereas the inhalation of direct and second-hand tobacco smoke both lead to health hazards that can and do cause preventable death; and

"Whereas more than four out of every five Ontarians do not smoke, and this large majority desires that enclosed public places in Ontario be smoke-free at all times; and

"Whereas preventing the sale of tobacco products, especially to young people, and banning the use of tobacco products in public and gathering places of all types will lower the incidence of smoking among Ontarians, and decrease preventable deaths;

"Be it therefore resolved that the Ontario Legislative Assembly enact Bill 164, and that the Ontario Ministry of Health and Long-Term Care aggressively implement measures to restrict the sale and supply of tobacco to those under 25; that the display of tobacco products in retail settings be banned; that smoking be banned in enclosed public places or in workplaces, and banned on or near the grounds of public and private schools, hospitals and day nurseries; that designated smoking areas or rooms in public places be banned, and that penalties for violations of smoking laws be substantially increased."

I wholeheartedly support this petition. I have affixed my signature to it and ask Owen to carry it for me.

**Mr. Frank Klees (Oak Ridges):** I have a petition here that proposes to balance off Bill 164 and consider the freedom of choice for Ontario residents. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Bill 164 takes away civil liberties and freedom of choice;

"Whereas Bill 164 is an attempt to remove freedom for smokers to exercise their choice in a way that does not bother others;

"Whereas Ontario smokers are paying close to \$1.5 billion to the Ontario Liberal government and more than \$1 billion more to the federal government in tobacco taxes alone;

"Whereas Bill 164 is aimed at punishing smokers and forcing them to make the choices that the government feels they should make;

"We, the undersigned, petition the Legislative Assembly of Ontario to amend Bill 164, respect smokers and provide fair and balanced legislation."

I am pleased to affix my signature to this petition.

#### DISABLED PERSONS PARKING PERMIT PROGRAM

**Mr. Michael A. Brown (Algoma-Manitoulin):** I have a petition signed by a number of my constituents, mostly along the north shore of Lake Huron.

"To the Legislative Assembly of Ontario:

"Whereas there currently exist problems of exposure to theft and the weather when displaying a disabled person parking permit on a motorcycle while parked in a disabled parking space;

"We, the undersigned, petition our members of Parliament to promote the development of a special, fixed permit as proposed by the Bikers Rights Organization, for use by disabled persons who ride or are passengers on motorcycles, even if that requires an amendment to the Highway Traffic Act."

I agree with this petition and will be signing it.

#### COMMUNITY HEALTH CENTRES

**Ms. Laurie Scott (Haliburton-Victoria-Brock):**

"To the Legislative Assembly of Ontario:

"Whereas Brock township has been declared an underserved area by the Ministry of Health with respect to physician services since 1996; and

"Whereas the Ontario government announced the creation of 150 family health teams, just like the community health centre in the spring budget; and

"Whereas a community health centre in Brock township could provide a range of community-based health and social services provided by a multidisciplinary team including physicians, nurse practitioners, nutritionists, health promotion coordinators, social workers, counselors and other health professionals needed in our local community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Brock community health centre proposal submitted on February 27, 2003, be funded as recommended by the district health council."

It's signed by many of my constituents and I'm going to give to page Paula Sanderson.

1540

#### WILDLIFE PROTECTION

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** I have a petition here to the Legislative Assembly of Ontario:

"Whereas wildlife rehabilitators provide an essential public service for many thousands of people seeking help on behalf of orphaned and injured wildlife in Ontario;

"Whereas the unreasonable release restrictions imposed on wildlife rehabilitators for animals in their care by the OMNR will prevent responsible wildlife rehabilitation, not only compromising wildlife and frustrating the public but forcing it underground and thereby jeopardizing safety;

"Whereas this will incur significant new cost for local governments with respect to bylaw and public health and safety interventions while creating an emotional and volatile climate because the majority of people in Ontario are simply unwilling to see healthy young animals euthanized;

"We, the undersigned, are deeply concerned that the care and release restrictions imposed by the Ontario Ministry of Natural Resources which are in violation of the international standards will eliminate the provision of responsible wildlife services in our community.

"We petition the Legislative Assembly of Ontario to work with wildlife rehabilitators to ensure progressive, humane and responsible regulations that reflect the international care and release standard that states:

"Orphaned wildlife should be raised with others of their own species, to learn proper conspecific behaviours, and the group should then be released together in appropriate natural areas, with the transitional care for those species that require it, generally within the city or county of origin."

#### HALTON RECYCLING PLANT

**Mrs. Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas noxious odours from the Halton Recycling plant in Newmarket are adversely affecting the health and quality of life of residents and working people in Newmarket; and

"Whereas local families have lost the enjoyment of their properties for themselves and their children, face threats to their health and well-being, and risk a decline in the value of their homes; and

"Whereas for the 300 members of the nearby main RCMP detachment, as well as other workers in the area, the odours are making their working conditions intolerable;

"Therefore, we, the undersigned, demand that the Minister of the Environment take immediate action to halt all noxious emissions and odours from the Halton Recycling plant, and take all steps necessary to force Halton Recycling to comply with environmental rules, including closing the plant if the odour problems continue."

As I am in complete agreement, I will be signing this petition and giving it to Trishaala.

#### CREDIT VALLEY HOSPITAL

**Mr. Kevin Daniel Flynn (Oakville):** I have a petition signed by people from the Oakville and Mississauga area, among them, Lorraine Gonsalves of River Oaks Boulevard. It reads as follows:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and



"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fund-raising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Jim Wilson (Simcoe-Grey):** A petition to the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I agree with this petition and I've signed it.

#### ONTARIO BUDGET

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I have a petition, and it's addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the McGuinty government inherited a hidden structural deficit of \$5.5 billion upon taking office in October 2003;

"Whereas the McGuinty government is committed to a balanced fiscal approach that eliminates the deficit and restores essential public services;

"Whereas Ontarians demand the best public health care, public education, and economic prosperity; and

"Whereas passing the 2005 budget will ensure new funding for post-secondary students, reduced waiting times for medical procedures, more child care spaces, and new investments in public infrastructure;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 197, Budget Measures Act, 2005, as soon as possible."

As I agree with the petition, I affix my signature to it and hand it to page Madison.

#### MOTORCYCLE INSURANCE

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** I've got a petition titled "Fix Motorcycle Insurance." These were gathered on Friday the 13th in Port Dover.

"Whereas responsible motorcyclists have been hit with huge increases in insurance or are being denied coverage; and

"Whereas motorcycle insurance has increased over 40% in the past two years; and

"Whereas sales of motorcycles in Ontario have dropped over 7%; and

"Whereas many businesses and individuals in the motorcycle industry are suffering because of the loss of sales and decreased employment that high insurance rates are causing;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government take steps to make motorcycle insurance more affordable and ensure that motorcyclists are treated fairly and equitably by the insurance industry."

This is signed by Chris Simons and Greg Yerex, who helped initiate it on Friday the 13th in Port Dover a number of years ago.

#### CREDIT VALLEY HOSPITAL

**Mr. Bob Delaney (Mississauga West):** I have a petition here from Peter and Patricia Leupen and their family in Erin Mills, Susan Molrine of Arvida Circle in Meadowvale, and Karen Newman of Atherly Crescent in Meadowvale and some of their neighbours. It reads as follows:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are

delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fund-raising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

This is my home hospital. I'm pleased to support it. I affix my signature and ask Jonathan to carry it for me.

1550

## ORDERS OF THE DAY

### LABOUR RELATIONS STATUTE LAW AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT DES LOIS CONCERNANT LES RELATIONS DE TRAVAIL

Mr. Bentley moved third reading of the following bill:  
Bill 144, An Act to amend certain statutes relating to labour relations / Projet de loi 144, Loi modifiant des lois concernant les relations de travail.

**The Acting Speaker (Mr. Michael Prue):** Mr. Bentley.

**Hon. Christopher Bentley (Minister of Labour):** At the outset I'd like to note that I'll be sharing my time with the member for Oakville, should he return, and I expect he will.

It gives me great pleasure to rise on third reading of this matter. What we need to do in labour relations is move away from the polarized approach taken over the last 15 years. We need to take a fair and balanced approach to labour relations. In fact, that is the approach that has been the historical guarantee of prosperity in Ontario, and it's time we got back to that approach.

The essence of that approach is that workers should be able to decide for themselves whether they wish to join the union or not. They should have that right to decide free of interference, free of coercion and free of intimidation. This bill and these amendments support the workers' right to choose, they support democracy and they

reflect the realities of the workplace. We're very pleased to be introducing them.

It is rather surprising that they would be opposed by anyone in this House. The historical approach to labour relations, that which has worked, has simply been to support the workers' right to choose.

I just want to make mention of two particular points. One is the remedial certification power. The remedial certification power is simply this: In a workplace where workers have the right to vote, which is all workplaces, on whether they wish to be part of a union or not, that vote, the process, should be free of intimidation or coercion by anybody. Where workers have the right to choose by other means, it should be free of intimidation or coercion by anybody: by employer or by union. The remedial certification power simply means that if an employer steps in and engages in such serious conduct that that employer effectively removes the workers' right to choose, the employer will not be able to benefit from their conduct.

It likewise means that there will be a similar power to ensure that if a union steps in and tries to remove the workers' right to choose whether to be part of a union or not, the union will not be able to benefit from the exercise of conduct that is simply serious and egregious.

What we're doing in this legislation is to ensure that we support the workers' right to choose, so that in those serious cases, the employer would be prevented from benefiting from their conduct and the union would be certified, or, on the other hand, the union would be prevented from certifying the union.

This type of power in relation to employers was in the act for decades. In fact, it was enhanced and supported during the days of former Premier Bill Davis. When the Tories came to power in 1995, they put the other part of the power in by introducing remedies against a union that goes too far. Those powers survived under the previous government, the Tory government, for two years, and when they removed them in 1997, they effectively removed powers that are directed at the worst kind of conduct, and what they created was a landscape in which either an employer or a union could actually benefit from serious, egregious conduct that removed the workers' right to choose. That is not democracy; that is the antithesis of democracy.

We need to support the workers' right to choose and support workers in the province of Ontario. That's exactly what this legislation does. It supports the workers' right to choose in the construction sector by recognizing that construction has special features. It's been recognized in the act for decades. In fact, previous governments and all governments have recognized the special nature of construction. Whether it's in relation to the specialized bargaining regimes, ICI sector or residential construction sector, or whether it's in relation to special arbitration provisions, it is simply a different approach in construction. Once again, we support democracy there by introducing, as well as the vote, the option of card-based certification, something that had been around for decades.



This legislation supports the right to choose of all workers, whether they be new Canadians or Canadians who have been here for a long time. Whether they be young or old, working in any sector, it reflects the essence of democracy, approached in ways that reflect the realities of a particular workplace. It is fair, it is balanced, it advances the rights of working families in this province, and it is legislation that should be supported by all members of the House. I hope it will be.

I'm going to turn my remaining time over to my parliamentary assistant, the member for Oakville, who, I might indicate, has done an absolutely fabulous job in supporting working families in this province.

**Mr. Kevin Daniel Flynn (Oakville):** It's a pleasure to follow the Minister of Labour on this issue. I don't think any family or anybody who is following labour relations in Ontario or on the national scene would argue that this is a reasonable step forward in labour stability in Ontario. It's fair and it's balanced. After the wild swings we've seen in this area of legislation during the past 14 years, I think it restores some balance and some stability to a system that is sadly in need of that balance and stability.

We had a decade of labour unrest under previous governments, and some of that unrest came from legislation that was simply mean-spirited. I'm talking about things such as the mandatory posting of decertification posters; I'm talking about salary disclosure of union officials. It did nothing to improve the rights, the lifestyles, the earning ability or the human rights, for that matter, of working families in Ontario.

This bill has many components, but if I could highlight three of them: the introduction of remedial certification, the introduction of interim reinstatement and the reintroduction of card-based certification in the construction industry in Ontario. This is a government that has proven that it's very serious about fairness and about growing our economy. It's trying to do that in a balanced and fair way that allows workers to make the real choice without fear of intimidation in making that choice.

Recently, for example, to illustrate that seriousness, in my own town of Oakville we were able to save 4,000 jobs in the auto industry, working with the CAW in that endeavour; working with the union that represents those workers. We've also seen another half-billion dollars in auto investment, and it's driving many billions more of private sector investment into the province of Ontario in the auto sector, which in turn is creating thousands of spin-off jobs, of course.

After the tumultuous years we've seen in the past, this to me is a breath of fresh air. I think it's legislation that restores long-standing and historical powers to the Ontario Labour Relations Board to deal with both employer and union misconduct during organizing campaigns.

During the public hearings on this bill, people came forward and talked about intimidation. They talked about not being allowed to make their own choice and being put in an environment, which was allowed by law during that time, that did not allow them to express their feelings

clearly. I think this proposed legislation, as it's presented, is a major step forward in ensuring that the workers in Ontario actually do have those rights and that employers will see the province as a very healthy economy, as a place that they would want to invest in in the future, which of course creates the jobs and the prosperity that we all want for this province.

**Ms. Shelley Martel (Nickel Belt):** I'm always interested, when I hear the government members talk about this bill, to note that while they talk about balance, history and tradition, the fact of the matter is that the card-based certification provision in this bill does not reflect past practice, tradition or historical context with respect to which workers traditionally have had card-based certification. I remind the Liberal members that, going back almost 50 years in this province, card-based certification as a method of forming a trade union has been available to all workers, not just to some. It's been available to all workers. That has been a fine tradition, and a tradition we should be reinstating through Bill 144.

**1600**

I think it's wrong that we would discriminate against all workers by only allowing some the ability to form a trade union through card-based certification. I think that's wrong. I don't want to be party to that. I oppose that. Women workers, immigrant workers, new workers, all workers should have a right to use card-based certification as a method whereby they join a trade union. That's what we had in place in labour relations from 50 years ago up to 1995, when the former Conservative government regrettably and wrongly got rid of card-based certification for all workers.

What the Liberals propose is a half measure that will only help some workers. I don't think that's right. There's no reason for us not to go the full way, which is what was in place before the Conservatives, and ensure that all workers can use card-based certification. The government has yet to answer why it wants to discriminate against most workers in this province by not allowing them access to card-based certification when they join a union. I'd like the government to answer that question.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I want to make a few comments on the comments by the minister and by previous speakers. What we need to look at when we're looking at this act is what this government has done since it took office in October 2003. There have been a number of achievements in the area of protecting workers in Ontario.

First, we look at the area of minimum wage. For the first time in nine years, the government increased the minimum wage on February 1, 2004, and will raise it each year until it reaches \$8 on February 1, 2007. Some could argue, why not raise it all at once? Well, the government has decided to do it in an incremental way, and it has its own reasons for doing that.

The family medical leave: passing a law allowing up to eight weeks of job-protected leave from work for employees wishing to stay home and take care of gravely

ill family members. This sort of leave allows employees an opportunity to stay with loved ones and take care of them.

**The 60-hour workweek:** The government limited the workweek and now requires a business to seek government approval and their employees' consent to work more than 48 hours a week. This gives vulnerable employees the ability to choose how many hours to work in a week.

Also, many other pieces of legislation have either been brought forward or will be brought forward. You can't solve the entire problem in one fell swoop. I think the government has taken a number of strong initiatives.

This act is moving in the right direction. I know there are complaints that it's only a half measure in not going all the way with card-based certification. But again, we're only a year and a half into our mandate, and I think time will tell, come election time, where this government is when it comes to helping out workers in Ontario.

**Mrs. Julia Munro (York North):** I want to go back to a comment made by the minister in leading off today's debate. He talked about the importance of balance and, therefore, fairness. I think we have a different definition of balance. To me, it's a question of fairness for all workers—for employers and employees. Obviously, the whole issue around the anonymity of a secret ballot is the way you guarantee that kind of fairness. I think it's important to look beyond just the matter of the bill itself, to the way in which the community has responded. Certainly I have received many, many letters that have asked my position on this and expressed the same kinds of concerns about the removal of a secret ballot.

I find particularly valuable the information and the position taken by VP Judith Andrew of the Canadian Federation of Independent Business, who said that "giving the labour board powers to order certifications in some situations is seriously disturbing and said secret ballots should be maintained for all certification votes. Secret ballots allow employees to make their decision to support or oppose the union free from any coercion from employers, union organizers or peers." I think this government is overlooking that very important voice.

**Mr. Brad Duguid (Scarborough Centre):** I'm delighted to join in this debate and make some comments on this very important legislation. I agree entirely with the minister and the parliamentary assistant when they say it is balanced and fair, an approach we're trying to take in many different sectors in government, an approach that, unfortunately, the province hasn't seen in this particular sector for a very long time.

This legislation is really in keeping with the approach we've taken overall in dealing with many of the issues that affect men and women working throughout Ontario. I look at the minimum wage and the fact that for the first time in nine years, I believe it is, we've raised the minimum wage, which went up effective February 1, 2004, and will continue to increase until it reaches \$8 on February 1, 2007.

I look at family medical leave, an area that was in dire need of change and reform. We've moved quickly on that to ensure that in fact working men and women across the province can get access and take the time off they need to deal with illness in their families.

I look at the 60-hour workweek. The government has limited the workweek and now requires a business to seek government approval and their employees' consent to work more than 48 hours in a week. This gives vulnerable employees the ability to choose how many hours to work in a week, something that I think is fair and certainly balanced.

I look at enforcement and prosecution. The ministry stepped up enforcement of the Employment Standards Act, and we've conducted more than 2,000 inspections as of March 4, 2005. There have been 931 orders. We have commenced 229 prosecutions compared to just 18 prosecutions in the previous five years. That shows results, it shows balance and it shows fairness.

**The Acting Speaker:** The member for Oakville has two minutes in which to respond.

**Mr. Flynn:** It's interesting to hear the comments coming from the other parties on this issue. They really mirror the sort of opinions that were proffered to the standing committee that heard from people in both Kitchener and the city of Toronto on this issue, and that is, some people say this bill goes way too far. That would be typically the response of the Conservative Party. Others say it doesn't go far enough. It's a little bit like Goldilocks: It's either too warm or it's too cold.

I'd say this legislation is just right. You either support card-based certification in the construction sector, the introduction of interim reinstatement, remedial certification, the removal of the decertification posters in the workplace and the ending of salary disclosures of union officials, or you don't. You can't say—you can say it, but it's hard for someone to imagine it's got any credibility—that because we aren't introducing card-based certification in all sectors of the province, the rest of the legislation is not supportable. That, to me, seems to be selling a lot of people short in this province.

Bill 144 provides an option for card-based certification in the construction industry. All other industries would continue to operate as they do under the vote-based system. We all know that the construction industry in Ontario has long been recognized as a very distinct industry, with many differences from traditional industry. It's generally project-based and mobile. An individual's employ with the employer may be very short. Employees themselves are generally organized by trade and may work on a variety of projects. So there's very good reason to introduce card-based certification in the construction industry. This bill is fair, it's balanced and it's extremely supportable.

1610

**The Acting Speaker:** Further debate?

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I am certainly pleased to join the third reading debate on Bill 144. I find it very interesting to hear the government



mention the words "fair" and "balanced" and "supportable." I guess they figure if they say it often enough, somebody is going to believe them.

I would hasten to say I agree with my colleague from the NDP that this bill is anything but fair and balanced and supportable, because at the end of the day there is going to be 4% of the unionized workers who are going to be given the opportunity for card-based certification. Obviously, we don't support that, but I wonder why the government is denying the majority of people the same right. They talk about the uniqueness. I hope to put on the record the fact that there isn't the uniqueness. They like to mention that over and over again. I guess they figure that if they say it often enough, people are going to believe them on that point as well.

Let's just review the history of what has happened here. The government introduced this bill on November 3. They decided they were going to amend the Labour Relations Act. I would say that as a result of that decision, basically what the government was doing was not taking into consideration the new workplace today. There's also the fact that we now are part of the larger global economy. Like everything else, the workplace and the conditions of the workplace have moved forward, and what they were doing was really turning back the clock 15 years for both workers and businesses. Certainly, what they're doing has the opportunity to create a climate that is actually going to take away the right of individual workers to a secret ballot vote; a right, by the way, that workers fought for and we gave them in 1995 under Bill 7.

It also has the possibility to create an environment in Ontario that is less attractive for business, which can move anywhere else in the world—it can go to the United States, to Mexico, to China, wherever—and we've already heard about companies that have postponed their business investment decisions based on what this government does with Bill 144. There's also concern about the changes they made to the 60-hour workweek legislation, which at the end of the day, despite the claims of the government, did not eliminate the 60-hour workweek; it simply introduced more red tape.

What I think most people find most reprehensible about this new bill is the fact that it does strip individual workers of their rights and, at the end of the day, it does threaten economic growth, which, again, can translate into fewer jobs for people in Ontario.

I would just remind you of the type of changes that were created in this province for workers and the economy of this province as a result of Bill 7. Bill 7 actually, when it was passed, sent a signal around the world that Ontario was once again open for business after the changes that had been introduced by Premier Bob Rae. As a result, the environment was created in Ontario whereby the private sector was able to create more than one million new jobs. These were jobs for our friends, our colleagues, our families, our children, our grandchildren. These were jobs that allowed the government to reap the taxes, and they were able to fund education; they

were able to fund health. We added about \$10 billion to the health system. We expanded and built new hospitals, emergency rooms, dialysis, more MRIs, more CT scans. We expanded the number of cardiac and cancer centres in Ontario. We embarked on a program of primary care reform to make sure that people in this province would have access to family doctors, which this government continues to build upon. We introduced nurse practitioners, again to increase access to primary care.

Those one million net new jobs created more wealth in the province that allowed us to fund programs and services for people. Then, of course, we see this government moving ahead with this bill. Well, then this government didn't want to acknowledge that maybe there was a need for public hearings. So, at the end of the day, finally, as a result of calls for public hearings, they did make a commitment to move forward, and fortunately, we had public hearings.

However, having said that, the public hearings on this bill were a sham, as they are on almost every other piece of legislation in this House that goes to committee. I think if you were to take a look at all of the amendments that are provided by the opposition parties, which are really based on the input that we get from people who make presentations to the committee, you would see that this government has a track record of introducing almost zero.

It seems that, despite the fact that we have public hearings—and people actually come in here thinking that they can make a difference to legislation—the only time that a difference is made is in the case of Bill 133, which was so badly flawed that the Ministry of the Environment and the minister had to introduce amendments in order to get any support for the bill whatsoever. Regrettably, there were all sorts of very important amendments put forward by both the NDP and our government, based on the input of the deputants, and there just were no changes made.

It's interesting, because workers and business are united in their opposition to Bill 144. If you take a look at the bill and the fact that this government seems to talk about the uniqueness of the construction industry, that's their justification for only allowing card-based certification there. I just want to read to you what the Coalition of Concerned Construction Employers said.

By the way, who are the Coalition of Concerned Construction Employers? Well, I can tell you, they were a group that didn't exist prior to the introduction of Bill 144. They were a group of companies that performed road-building, bridge-building, and sewer and water main construction throughout Ontario. Obviously, they provide a lot of jobs, because they employ over 8,000 workers. They are 60 companies-plus, and they are responsible for over \$1 billion of infrastructure annually in the province: a lot of people here, 8,000-plus, working in the construction industry.

These people came together, these more than 60 companies, because of Bill 144. They were concerned that this government was seeking to impose special rules for certification to reflect "what it says is the uniqueness

of the construction industry." They go on to say: "This proposed amendment would take away the rights of our employees to have a secret ballot vote conducted by the Ontario Labour Relations Board when a trade union applies for certification to represent them. The amendment discriminates against and marginalizes our employees. Employees in all other sectors of the economy retain the right to a secret ballot vote. Only construction workers are marginalized in this way."

This is very, very concerning, that Bill 144 discriminates against these construction employees and that they will be stripped of their right to a secret ballot vote. Unfortunately, it leaves these employees very vulnerable to intimidation tactics, which were employed prior to the introduction of the secret ballot vote.

I'll go on to read from their presentation. This is the presentation of the Coalition of Concerned Construction Employers, more than 60 employers who employ more than 8,000 workers.

1620

They go on to say: "The government has sought to justify this amendment by stating that employment patterns in the construction industry are of short duration and are transient. We wish to point out to you that this is not the case in our industries: Our jobs are typically six to 12 months in duration; our companies recall their employees at the start of each construction season, and they remain employed until the end of the season; further, we rehire over 90% of our workers from one season to the next."

They go on to say that road-building, sewer and water main, and heavy civil contractors do not fit the mould—of course, "the mould" that this government talks about.

Then they say: "If the amendment becomes law, you would have an ... unfair situation where a 20-year employee of one of our companies working on a construction project all summer would not have a secret ballot vote in an application for certification but an employee who had," for example, "been employed in a grocery store 30 metres away"—meaning 30 metres away from the construction project—"for two days would have a secret ballot vote."

I think you can see the absurdity. Why would this 20-year employee not be entitled to the same secret ballot vote, while some new employee in a grocery store, having worked there only two days, would have that opportunity? Talk about taking away people's rights.

"In a card-based system, cards are valid for six months for the purpose of automatic certification and even that process is open to manipulation because cards can be collected undated, and dated ... at the time an application is filed thereby making them effective in perpetuity. There is no evidence or information provided as to the circumstances under which membership documents were obtained or witness statements attesting to the fact that a witness knew the signee. There is no opportunity for the company or their representative to examine the cards. As well, there is no scrutiny by the labour board into the circumstances of signing...." There may be "trickery,

misrepresentation, forgery or coercion because it is all done in secret and there will be no secret ballot vote which will allow construction employees to express their true feelings in a democratic way."

Can you believe this?

Then they go on to say: "Imagine"—of course, they're talking to us, MPPs—"if your political opponent in a provincial election was permitted to come to a polling station on election day and drop a thousand membership forms for his party on the table of the returning officer and say, 'I want these membership documents recorded as votes for me because they indicate that these people support my party.' You would undoubtedly recoil in wonder and anger and shout, 'This is not fair, it is totally against the democratic process,' and you would be completely correct. If the election were to be determined in this way you would feel that the process and result were manifestly unfair."

I would agree with this paragraph. For this minister to stand up and say that this legislation is fair and balanced—we now can see it is not. I'm sure the members opposite would not want themselves to be involved in a personal election whereby somebody could just suddenly come in and take the election away from them and all people not be given the opportunity for a secret ballot vote.

The coalition goes on to say: "Our employees who did not want the union and our companies would, like you, feel that the process was unfair and did not represent the true wishes of the employees." In our case, of course, it would be the true wishes of our constituents.

They go on to say: "Certification under such circumstances would more likely lead to subsequent difficulties between the parties.

"A significant percentage of the workforce in the construction industry is made up of new Canadians and landed immigrants. Such a system would marginalize these people."

I would agree. These people, despite the rhetoric I hear from the other side, are some of the most vulnerable people we have in Ontario. Because of language difficulties, they can be easily intimidated and forced to sign union cards. Most of them who are here just want to earn a living for their families.

"If implemented, ... Bill 144 will add to the unfairness of a system that already fails to recognize the employment ... of a long-term employee who may be absent on the day the union applies to certify the company. The Labour Relations Board has for many years interpreted the act in a way that requires construction employees to be actively at work on the day an application for certification is filed by a trade union.

"Therefore, if our employee who has 20 years of service with the company and who has worked every day during a current construction season is sick on a Friday or takes his child to a doctor on a Friday and an application for certification is filed on that Friday, this 20-year employee is not allowed to vote on this fundamental issue that will totally affect his employment. On the other



hand, a person who is hired on Thursday and who works for the first time on Friday will be allowed to vote.”

They say, “Obviously this system gives unions an advantage, as they determine when an application will be filed and therefore which employees will count.

“It is the position of the CCCE that in the interests of democracy, Bill 144 must be amended to prevent the further marginalization of construction employees. To do otherwise” with a bill so fundamental to the working lives of so many “would be a failure of democracy.” Who can disagree with that?

This, coming from a government that talks about democratic renewal and then proposes to take away the opportunity for these individuals to make an important decision about whether or not they want to join a union—this takes away their secret ballot vote. This is what people throughout this world are wanting. Soldiers are fighting for people to have the opportunity to have a secret ballot vote to make choices about governments, and yet we are going to strip people in the province of Ontario—talk about a step backward, talk about unfairness, talk about imbalance. It’s all here in Bill 144.

What does the coalition want? They have given us three suggested amendments, in order of priority. Number one, Bill 144 should be amended and any reference to card-based certification in the construction industry—that is what they probably are most concerned about. Also, if the amendment were to pass, they don’t want it to apply to employees or employers in the roads, sewers and water mains, and heavy engineering sectors of the construction industry. Obviously—we’re here at third reading—the government has chosen to totally disregard the input of the Coalition of Concerned Construction Employers.

We’ve heard there’s the real possibility of a return to intimidation of employees into signing a union card, now that we’re going to do away with the secret ballot vote. We hear the other side saying that doesn’t happen. Do you know what? I sat in the hearings in Kitchener-Waterloo for an entire day. I have to tell you that the first part of that day, I was embarrassed, because we as a government holding those public hearings could not guarantee those making presentations who disagreed with the government freedom from belittlement, jeering and outbursts from the audience. So you tell me there is not intimidation. There was intimidation in that room. I was surprised that some of the people were able to complete their presentations, and I want to applaud them for having the courage to come in and be heckled and jeered at and belittled. I can also tell you that as a result of that activity, there were people who did not show their face, because they didn’t want to be subjected.

1630

I suggest that in future the government ensure that any person in Ontario who chooses to make a presentation before a committee at least be guaranteed the opportunity to do so free from audience heckling and jeering and belittlement. I was personally embarrassed that we had to go half a day with that type of behaviour. We as a government have to make sure that people—they should not be subjected to that type of behaviour.

I want to read from the chamber of commerce. They made a submission on the Labour Relations Statute Law Amendment Act, 2004. They begin by saying that they “believe a healthy labour relations environment is critical in fostering a strong economic climate in Ontario.” They go on to say that this act “falls short of achieving its goal to provide choice, fairness and balance in labour relations.” They say that the “system has undergone a number of reforms in the past 10 years, and this new proposal, while well-intentioned, is a step backwards.”

They say three things about Bill 144. It “will fail to restore balance and fairness to the current system; threatens the fundamental principles of democracy and fails to protect worker’s rights;” and, number three, “will hurt Ontario’s long-term competitiveness and investment climate.”

They go on to say that “implementing the proposed changes may destabilize labour relations in the province and convince future or pending investors to rethink investing in Ontario-based businesses.” For these reasons, the chamber is opposed to Bill 144 and is looking to ensure that “Ontario has a fair and balanced” act “that creates harmonious workplaces without stifling the economy.”

I would say to the government that throughout this province and in your own communities, this bill, despite what you say about fairness and balance, is not supported by the small businesspeople and others who comprise your local chambers of commerce. They are not with you. They want this bill amended, and they say so. They “recommend that the Ontario government amend Bill 144 to truly create balance and fairness in the workplace, reflect strong democratic values and promote investment in Ontario. The government must adopt a multi-stakeholder approach to ensure that the interests of business and labour are incorporated. Without a clear framework to guide labour relations, it will be more difficult for labour and business to coexist in a healthy, balanced workplace.”

They say that the chamber “conducted a survey of its members” between “November 30 to December 7, 2004, to garner opinions on the proposed amendments to the Labour Relations Act. Key findings from the ... survey indicate that the” amendment act, “as currently written, will not restore fairness and balance to labour relations in Ontario.”

I would say to the members opposite that it doesn’t matter how many times you tell us that the bill is fair or balanced, the chamber survey responses indicate that small businesses in all communities throughout Ontario disagree with you. They do not see it as being fair; they do not see it as being balanced.

I want you to know that two thirds of the people who responded are people who employ fewer than 50 employees, and 16% are people who employ 251 or more employees. So I think you would agree that, as they say, “Bill 144, as introduced, further deteriorates ... fairness ... and tips the balance in favour of unions at the expense of workers.... Indeed, they believe that the bill’s provisions

are excessive ... and are in serious danger of causing unnecessary harm to labour relations in Ontario. If enacted, these changes will make Ontario less attractive as a province to invest and do business in."

This is interesting, because these are the people who represent the men and women in our communities who have created businesses, who provide jobs—well-respected community leaders. Let's take a look at some of the issues that they take exception to and their recommendations. Let's take a look first at card-based certification: "The OCC advocates for a secret ballot system as it is the most democratic approach to certification." Who could disagree with that? "All workers, regardless of the sector in which they are employed, should be entitled to vote via a secret ballot system. Under Bill 144, card-based certification will be reintroduced for the construction industry, with representation votes as an option. Under this provision the Ontario Labour Relations Board ... can permit automatic union certification if the number of employees in the bargaining unit who have signed membership cards exceeds 55%, therefore eliminating the requirement of a secret ballot vote. In past years, the card-based system has been misused as a mechanism to coerce and intimidate employees into certifying a union."

So what do they recommend? "Maintain, in all instances, the secret ballot system, as the OCC and its members believe that it should be the only mechanism for determining whether a union is certified. This will accurately"—and I emphasize the word "accurately"—"reflect employee wishes, and preserves each worker's right to vote."

What about the whole issue of union salary disclosure? They recommend, first of all: "Unions to disclose remuneration (over \$100,000) because it is a fair and necessary provision." They believe that this "proposal to repeal the requirement of union salary disclosure is unwarranted, and will reduce transparency and accountability of unions to the employees they represent."

Let's take a look at remedial certification. They say, "Reinstating the OLRB's power to impose remedial certification is a step backwards as it is an arbitrary process."

"The OCC and its members believe it is undemocratic"—we get back to that word "democratic" again—"to give political appointees the authority to certify a union, absent of a democratic employee vote. By allowing the OLRB to impose union certification, workers are clearly disadvantaged, as their right to choose is rejected. Moreover, without clear guidelines for remedial certification decisions made by the OLRB, small businesses will be unfairly disadvantaged when confronted by large, well-resourced international unions who are far better versed in every nuance of the legislation." That is an important statement, because small businesses will be at a very, very unfair disadvantage.

1640

They see the role of the OLRB as one that should continue to be focused upon protecting workers' rights, including their right to choose representation in a secret ballot vote in all instances. Of course, the chamber

supports the amendments for remedial certification as follows: "The Ontario Labour Relations Board should not be able to reinstate employees unless a comprehensive framework is developed detailing strict conditions under which the OLRB may get involved. The OLRB should be limited to protecting workers' rights and prohibited from changing the terms of employment of any employee who has been dismissed."

Now, I just want to remind the viewers and others who are interested in the legislation that despite the fact that we had many excellent recommendations, you need to know that they were not supported by the government and we just went through the charade of having public hearings and people doing a lot of work in order to make the legislation fair and balanced and then seeing it totally rejected.

Let's take a look at what they say about interim reinstatement:

"The proposed legislation will give the OLRB the power to issue interim orders during an organizing campaign. Therefore, it would allow the OLRB to change workplace practices, terms and conditions of employment or reinstate a terminated employee before any complaint about alleged employer wrongdoing has been heard and decided. In addition, this amendment is so broad, it may result in unions filing unsubstantiated claims of dismissals. When such an unsubstantiated claim is filed, no recourse can be provided for either party. According to the Ontario Chamber of Commerce and its members, such broad powers given to the Ontario Labour Relations Board unfairly punish employers and businesses."

They recommend "withdrawing interim reinstatement language from Bill 144, as it will allow unions to make unverified claims."

Let's now take a look at what they have to say on decertification posters:

"The additional regulations concerning decertification posters included in Bill 144 present confusion and over-regulation for employers. Although it is reasonable that employers remove posters, it is destructive to charge employers with an offence for failing to remove 'How to Decertify' posters. In addition, because there is much ambiguity surrounding communication rights between employees and employers during a certification/decertification process, the OCC advocates for additional language in Bill 144 that will clarify the communication rights of employers."

This is what the Ontario Chamber of Commerce recommends: "Amend the 30-day rule in order to protect employers from unnecessary allegations." Also, "Develop and facilitate a program through the Ontario Labour Relations Board to provide employees with information about certification and decertification in a workplace. This will give employers and labour unions equal opportunities to disseminate information in a fair manner." What an ultimately reasonable amendment. I can't believe that the government was not prepared to develop this type of program that would give employees information about not just decertification but also



certification. Let's make sure that people have access to that information in a fair manner and that it is fairly disseminated—rejection.

Now let's take a look at what the chamber has to say about the reduction in investment:

"Without major amendments"—to Bill 144, of course—"the OCC believes the proposed amendments will create uncertainty among business owners, and will likely delay key decisions from being made on investments and hiring. It is unclear how the proposed amendments will improve labour relations in Ontario." Agreed. "Fifty-two per cent of the survey respondents are uncertain if the new legislation will prevent the occurrence of consecutive strikes in their workplaces and 36% are uncertain whether the proposed legislation would affect the negotiation or operation of collective agreements in unionized workplaces. This uncertainty threatens business flexibility and in the case of the manufacturing sector may cause high-value jobs to leave Ontario. Uncertainty also signals a loss of confidence in the system which will yield negative effects for investment." So, the chamber says, "These amendments" to Bill 144 "will not improve the labour climate in Ontario or make Ontario an attractive province to invest in.

"Ultimately, this legislation is undesirable because it will hurt Ontario's competitiveness. The potential loss of investment and job creation will erode the government's ability to invest in health care, education, and other important social programs. Overall, these changes do not support the government's goal of making Ontario the most desirable place to work and do business. Instead, the OCC and its members deem Bill 144 as a step backwards."

The chamber recommends that the government employ a business outlook to ensure that the amended legislation does not hinder investment in Ontario.

It was interesting, because this is how Len Crispino, the president and chief executive officer of the Ontario Chamber of Commerce, ended his letter. This letter was, of course, directed to the standing committee on social policy. He says, "There are strong indications that Bill 144 will not be effective in restoring fairness and balance to labour relations as the minister so desires. The OCC strongly urges the government not to enact the bill as drafted and urges the government to consider the OCC's recommendations included in this submission."

Regrettably, despite the efforts of the chamber, despite the efforts of hundreds and thousands of people in the province of Ontario urging the government to make changes to the bill, telling the government that this does not restore fairness and balance, everything was rejected by the government.

I want to read from another one that was submitted to us. As I say, we had a lot of submissions, and I'm just going to see which other one we will read into the record, because we did have so many.

I've got one here from the Coalition for Democratic Labour Relations. This was the group that came together because of Bill 144. They were concerned about the

impact of this bill on the provincial economy and made requests for amendments to the legislation. Now, you might ask, who is the Coalition for Democratic Labour Relations? Well, they comprise 12 industry associations. They represent over 100,000 small, medium and large businesses, and they employ roughly two million people in key sectors of Ontario's economy. They were established for the sole reason of opposing Bill 144, and they say, "When Bill 144 was introduced, it was presented as the tool to achieve fairness and balance in the workplace." Then they highlight in very bold, black letters, "Coalition members couldn't disagree more. We take issue with the way this bill threatens the fundamental principles of democracy by removing the democratic right of employees to vote on whether or not they choose a union and by impeding an employer's right to free speech."

1650

They go on to say, "We have begun to hear anecdotal evidence from several of our members that they are reviewing investment decisions based on the negative effect of Bill 144. The labour relations environment is one of the key elements that business people in Ontario and business leaders looking at potential investments in Ontario use to determine when and where to invest in the new plants and stores. That creates jobs.

"Without major amendments, the coalition believes the bill will create uncertainty in the business community," and will likely "delay key decisions about investments and hiring." They say, "This couldn't come at a worse time, especially given the recently revised forecasts predicting slower economic growth" in the province.

So they've come together. Here is a group that represents over 100,000 employers that employ about two million people. This group of people and their recommendations and concerns were totally ignored by this government. They simply did not listen. Despite the outstanding recommendations that were put forward on remedial certification, decertification posters, interim reinstatement, card-based certification and the definition of "non-construction employer," it was all for naught.

Some of the people who made up this group, because I've talked about the 12 industry associations, were the Canadian Federation of Independent Business, the Canadian Manufacturers and Exporters, and the Canadian Restaurant and Foodservices Association. These are people who represent the mom-and-pop restaurants and food service groups throughout Ontario: the chamber of commerce; the Ontario Electrical League; the Ontario Restaurant, Hotel and Motel Association; the Open Shop Contractors Association and the Retail Council of Canada.

Everybody says much the same thing. The Open Shop Contractors Association begins by telling us that "Bill 144 was introduced without meaningful consultation." We know that. There wasn't any. Maybe there was consultation with the construction and building trades, which were the only beneficiaries of this legislation.

They go on to say that this “seriously undermines the trust that has been developing with the government over joint labour/management consultations on construction issues” and that the bill should be withdrawn until full consultations have occurred.

They go on to say, regarding certification, “We believe that certifying a trade union without the benefit of a representation vote is a significant backward step and contributes to the ‘democratic deficit’ in the province. It is widely recognized that an expedited certification vote is the best test for employees’ choice, and removing it will result in a return to a more fractious certification process. Contractors will be concerned about whether an employee has been coerced, intimidated or simply signed a membership card to avoid having to say no. A secret vote is the ultimate test of employees’ wishes and should be maintained in the absence of serious violations of the act by either party.

“Not having a vote is especially problematic in the construction sector because a certification at one site impacts employees on all sites of the contractor. Furthermore, due to the fact that those eligible to vote or to have signed cards is determined as of the date of application, a small contingent of a contractor’s workforce at one site could determine the unionized fate of all of its employees province-wide.” Now, I ask you, is that fairness? Is that balance? I would say not. They go on to say, “Currently, two employees of a contractor, even with a representation vote, could dictate work rules for hundreds of employees without these employees having a say, and this problem is now greatly exacerbated by certification based on membership card evidence alone.

“Some have argued that card-based certification is needed in construction because employees work for multiple employers in the construction industry. Although this is true in the unionized sector, where employees are drawn from a hiring call, it does not apply to the open shop sector, where contractors tend to have a more stable and long-term workforce. This makes it all the more important that the democratic rights of these long-term employees be respected with a vote to determine their true wishes.”

Again there is the emphasis on the need for employees to have democratic rights in the same way that we as elected members of provincial Parliament would hope that we would always be elected to this office because our constituents have been able to freely exercise their democratic rights through a secret ballot vote. How is this different? Why would we deny these construction employees the same rights that we want for our constituents? Unbelievable.

They obviously are also concerned about remedial certification. They say, “We appreciate that the government is recognizing the need to certify a bargaining agent where the employer has wilfully broken the law to such a degree that it would be difficult for the employees’ true wishes to be ascertained. We are concerned that the labour board will find any minor violation of the act as grounds for remedial certification. If the government’s

intention is to use remedial powers only in exceptional circumstances, then the board should be provided with a listing of what constitutes a serious breach.”

I don’t know why that would not be done. If this government wants to be fair, let’s make sure that everybody understands what the ground rules are, what the rules would be.

“Restrictions of free speech: Removing the requirement that employers post information in a unionized workplace on how to decertify the union is understandable. However, Bill 144 goes too far in making it an unfair labour practice for an employer to post such information or even to advise employees of their rights under the act. We believe that this is a violation of an employer’s right to free speech and may well be unconstitutional. An employer should not be in violation of the act simply for providing lawful information.”

These are some of the concerns that have been expressed by these individuals.

We also heard from the Greater Toronto Home Builders’ Association. Again, they talk about some of the strengths of what has happened in the past. They talk about the introduction by our government of Bill 69 and Bill 179, which covered the 2001 and 2004 rounds of collective bargaining for the residential construction industry within the GTA. They say, “You will be aware that as a result of labour disruptions that paralyzed the GTA new home building industry in the summer of 1998,” the bills I talked about were introduced “to provide greater certainty for those involved, including new homebuyers.” They go on to say that Bills 69 and 179, which we introduced to cover the 2001 and 2004 rounds of collective bargaining for the residential construction industry within the GTA, “worked exceedingly well. In 2001 there was only one brief strike and in 2004 there was none.”

1700

Again, they are a strong supporter of the current certification system, which mandates a secret ballot, and they maintain that transparency in organizing drives should be maintained. There was a lot of certainty in labour relations, but they are now concerned about the Liberal government’s changes to the Labour Relations Act in Bill 144. They say, “We believe the proposed changes will not”—and I stress “will not”—“be helpful to the overall residential construction labour climate, will lead to increased uncertainty and will undermine the rights of employees.”

They go on to say, “You will know that the residential construction industry in the GTA is a strong contributor to the regional and Ontario economies, with every new home or condominium supporting three jobs. Last year our industry supported nearly 130,000 full-time jobs. It is important that the industry remains strong and not be jeopardized based on a return to a confrontational approach between labour and management in labour relations.”

This government says that this bill is fair and balanced. I tell you that people in the real world outside this



Legislature express concerns that it is not fair and balanced. They fear there will be a return to a confrontational approach between labour and management in labour relations. That's one of the other submissions we received.

Here is a submission from the Sarnia-Lambton Chamber of Commerce. I note that the member who represents that community is here. I hope she has seriously considered the concerns that the businesspeople in her community—in fact, these are 850 businesses that employ close to 18,000 persons—have about Bill 144. I would hope that in private, in caucus, she would have shared these concerns with the Minister of Labour, to recognize that not everybody agrees with this bill.

Let's take a look at the representation made by the Canadian Manufacturers and Exporters. We've got people here who represent 75% of Canada's industrial output and 90% of our exports. Let's keep in mind that most of our exports are to the United States. Over the past eight years, CME members have been responsible for over 45% of the new jobs created in the Canadian economy. However, they also say they are facing intense pressure from emerging markets such as China, the rapid appreciation of the Canadian dollar, regulatory impediments and increasing business costs. They say that manufacturers are facing the very real and difficult decision of whether they will be forced to move their operations out of Canada. That means Ontario, where the bulk of the people are employed.

They indicate that, as they make representation to the government, this is not a threat, but this is simply to recognize what might be happening. They want to make sure that there's a strong manufacturing sector in this province and in Canada.

But then they go on to say, "CME is concerned that Bill 144, the Labour Relations Statute Law Amendment Act, will not achieve the stated objective of promoting stable labour relations and economic prosperity by introducing legislation that would ensure fairness and choice in Ontario's workplaces." They believe, and they say, "This bill will have an unintended regressive impact on labour relations and promote egregious misrepresentations of employee conduct and intimidation from unions. We have had many years of stable labour relations and we see no need for these amendments."

I would remind the government of this fact. We have seen many years of stable labour relations, we've seen growth in the economy of this province and we've seen the creation of more than one million new jobs by the private sector. We've seen the opportunity to take the taxes that had been raised by these new jobs and reinvest them in health, education and in other priorities such as community safety, more police officers etc.

But they are concerned about section 11, which would allow for remedial certification powers to return to the Ontario Labour Relations Board. They feel it would "undermine the underpinnings of democratic society and the employees' right to vote on union representation could be contravened by a government body"—the

OLRB—"that is not democratically elected and is accountable to no one."

They expressed grave, grave concerns. They believe that "union formation should continue to exist if, and only if, it is voted upon by secret ballot." They are concerned that "remedial certification would induce unions to raise challenges to companies in the hopes of achieving remedial certification regardless of the true wishes of the employee population." They believe this would "create labour relation strife and violate an individual's right to choose whether they wish to be represented by a union.... The existing powers of the OLRB provide an ideal balance of employer and employee interests by retaining the right to order a second secret vote in the event of a contravention or a suspicion thereof."

Furthermore, they expressed their concern for the proposed reintroduction of card-based certification for the construction industry. They say, "We have no desire to see the construction industry return to the dark ages of labour relations that were characterized by card-based certification and intimidation tactics from unions. The government must consider the importance of manufacturing in Ontario and the potential damage to the economy that may be caused by the passage of this bill. More than one million Ontarians are employed in manufacturing and every \$1 invested in manufacturing generates \$3.19 in economic activity."

Again, they refer to the positive labour relations that we've experienced in this province. They talk about the fact that a single disruption can have a ripple effect throughout the North American economy. They talk about a disruption at a strike at a brake plant in Saginaw, Michigan, in 1998 that resulted in a loss of \$20 billion to the Canadian economy.

Here are people who create jobs who are saying that the "government must recognize that destabilizing initiatives such as Bill 144 will jeopardize future investment in the province and circumvent years of progress in labour relations."

1710

I would submit to you that the input, the wishes of this group, the Canadian Manufacturers and Exporters, was totally disregarded by the government. There were no amendments introduced into this legislation. The government had made up its mind when it introduced the bill. There had been no substantive consultations with any of the partners. They were prepared to move forward in a way that didn't recognize the many stable years of labour relations in this province.

Here's a submission from the Ontario and Toronto Automobile Dealers Association against the amendments. Of course, we have the CFIB, who made a presentation. The Ontario Restaurant, Hotel and Motel Association, the Canadian Restaurant and Foodservices Association, the Human Resources Professionals Association of Ontario, the Retail Council of Canada—the list goes on and on. We've already talked about the Open Shop Contractors Association.

I would say to the government that it is regrettable that you have not introduced labour relations legislation that

continues to promote fairness and balance and the creation of new jobs for all people in Ontario.

**The Acting Speaker:** Questions and comments?

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):**

It appears that the government is so high on this bill, they don't even want to speak to it. But I do want to speak to it, because what is happening here goes against my fundamental belief and the fundamental belief of so many people, including my father and many like him who served overseas in World War II to defend democracy and fight for democracy. It goes against what they believe is a sacred right, and that is the sanctity of the secret ballot.

What we've got here in this legislation is the total dissolving of the secret ballot with regard to union certification. The member for Kitchener-Waterloo spoke about the intimidation that was going on at committee hearings, and believe me, that's exactly what goes on. "If you don't sign this card, you got yourself a problem here, buddy." We don't want to see that kind of thing happening.

We do believe absolutely that it would be one heck of a way—and I'm saying this negatively—to decide who's going to win an election, based on who sells the most memberships or who puts up the most lawn signs. If you put up a lawn sign, that's an indication that you may or may not be supporting someone. But at the end of the day, I think you should have the right to go into that balloting area, that voting area, and put your X on a ballot that is sacred and secret.

What is happening here is a complete loss of the right to a secret ballot. I can't support that, and I believe that if the people of Ontario are listening and asking those questions, they cannot support it either.

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** Former Labour Minister Witmer has yet again given us a great summary of Bill 144. Much of what we're seeing from the government seems to be motivated more by politics than productivity. I put this in the box of payback with respect to union support and, as we see, payback to the construction unions. If you take a look at the donations that were made to the Liberal Party, you will probably understand.

These changes to Bill 144 are draconian and are obviously going to have an impact on employers and those companies that rely on the construction trades.

There is another problem with respect to construction. This comes, actually, through the Ministry of Municipal Affairs and Housing—regulation 403/97. All design people have to take an appropriate course as well as a legal course. This covers those areas: plumbing, heating and cooling, structural engineering and trades involved in plans or architecture. At this point, less than 5% of the workforce in the construction industry has this kind of training, and the deadline is coming up this July 1. The construction industry is very busy right now. You just have to take a look at the weather outside; it's an ideal time. Foundations are poured, footings are there and the studs are going up. These people cannot meet this

deadline of July 1, especially during construction season. We need another winter to try and get people up to the requirements for this training, and I ask this government to take action on that.

**Mrs. Munro:** I want to add a further comment to the concern that has been expressed across the province by taking a couple of sentences from a letter I received that I think expresses well the kind of concerns that people across the province have on this piece of legislation. It begins:

"As a citizen living in your riding (York North) I am concerned about the changes to Ontario labour laws proposed by Bill 144. I can assure you that the proposed labour legislation will discourage investment in Ontario. The past year has been tough on many Ontario businesses because of a rising Canadian dollar and a general slowdown of the economy. The uncertainty created by this untimely labour legislation will lead to lost jobs and a lack of government revenues that should be funding our health care, education and other priorities.

"Bill 144 also threatens the fundamental principles of democracy by removing employees' democratic right to vote on whether or not they choose a union and by impeding employers' right to free speech. Above all, employers require clarity and certainty."

The letter goes on to outline specific parts of the bill, but I think many of these have been raised already in debate.

I think the conclusion of this letter is important: "Now is not the time to be creating uncertainty and sending negative signals to people making investment decisions within the province. The finance minister himself has openly discussed the fiscal problems being faced by our provincial government."

It is that balance that we are seeking to address in this bill.

**The Acting Speaker:** Further questions and comments? The member from Bruce-Grey-Owen Sound.

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** Thank you, Mr. Speaker. That's very good.

I would just like to speak on this for a couple of minutes.

**Mr. Yakabuski:** That's all you get.

**Mr. Murdoch:** That's all I can, they tell me.

A lot of companies are upset with this bylaw. Two really good companies in our area that do a lot for people are Harold Sutherland Construction and E.C. King Contracting. King is owned by Miller Paving. They do a lot of work in our area for people, for different charities and things like that—they're always being called upon—and they are really concerned with this. They, along with other people, are members of the Coalition of Concerned Construction Employers, an organization of companies that perform road building, bridge building, sewers and water mains throughout the province. They have no union affiliation. These companies have been operating for years and years, long before I came along, other than that I went to school with Mr. Sutherland. He has a great company now, and also Mr. McArthur, who owns Miller



Paving, which used to be E.C. King Contracting. They're really concerned.

They've sent me letters, and I will be forwarding these letters on to the minister. Hopefully, then, he can bring in some amendments to this. In their letters, they say:

"If implemented, Bill 144 will add to the unfairness of a system that fails to recognize the employment of a long-term employee who may be absent on the day the union applies to certify the company. The Labour Relations Board has for many years interpreted the act in a way that requires construction employees to be actively at work on the day an application for certification is filed by a trade union." There's something that's in there that's really bothering these companies.

Another paragraph in there says, "The government has sought to justify this amendment by stating that employment patterns in the construction industries are of short duration and are transient." This is not true. A lot of our employees have been with these companies for a long time and do not want to see this happen.

1720

**The Acting Speaker:** The member from Kitchener-Waterloo has two minutes in which to respond.

**Mrs. Witmer:** I will make my two-minute response. I'd like to thank the member from Haldimand-Norfolk-Brant for his contribution; also the member from Renfrew-Nipissing-Pembroke, the member for York North and, of course, the final speaker, the member for Bruce-Grey-Owen Sound, who had the opportunity to read into the record some of the concerns he had received from local people in his community about this legislation.

I just want to stress what it is that our caucus, under the leadership of our leader, John Tory, finds the most offensive about this bill, and that is the stripping away of an individual's right to a secret ballot vote. We believe this is a very important principle which is being sacrificed by this government. There are now going to be a few employees in this province who will not have the opportunity for a secret ballot vote. In fact, you could say that this bill discriminates against those people. That is our primary concern about this bill. We've certainly talked about other parts of the bill, but it is the stripping away of the secret ballot vote that we find very offensive and we find to be an important principle. In fact, I would say again we have a government here that talks about democratic renewal, that talks about the need for people to get involved in the process, and yet we are not allowing all employees in a workplace to make a critical decision about whether or not they want to unionize.

I would say to the government, if there is any opportunity for you to reconsider, please reinstate the secret ballot vote.

**The Acting Speaker:** Further debate?

**Mr. Peter Kormos (Niagara Centre):** I'm pleased to join this debate on behalf of New Democrats here at Queen's Park. I don't think New Democrats have any real explaining to do about where they stand when it comes to workers and their rights to join and belong to trade unions and to freely collectively bargain. If there

was any doubt, maybe some of the Liberal backbenchers should ask some agricultural workers, working in some of the most dangerous workplaces in this province. Yet the Liberals join heartily, gleefully, joyously, oh so enthusiastically, with their Conservative sisters and brothers at Queen's Park when it comes to denying the right of agriculture workers—it doesn't matter how you join it, secret ballot or card certification; irrelevant. Liberals say "No way" to agricultural workers in this province.

Liberals sure have a twisted, demented sense of justice for workers in the province of Ontario. The most dangerous workplaces in the province: agriculture. And we're not talking about the family farm, for Pete's sake. The family farm is but a memory for the vast majority of agricultural Ontario, rural Ontario. If you want to talk about this government's commitment or, rather, lack of it to agriculture Ontario, let's talk about this 23% slashing of the budget of the Ministry of Agriculture.

I've got folks down where I come from, fruit farmers, cattle producers, poultry producers, egg producers, small market croppers, and I tell you, there are a whole lot of teachers, nurses and factory workers subsidizing the farming industry in Ontario. Do you understand what I'm saying?

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** And MPPs' spouses.

**Mr. Kormos:** As Ms. Van Bommel says, MPPs' spouses.

Think about what's happening. You're hard pressed to find a full-time farmer any more, aren't you, Ms. Van Bommel, because on the vast majority of them on this dwindling number of so-called family farms—and they are dwindling, many of them second-, third-, and fourth-generation, like down where I come from—have to go out and find work in any number of jobs, trades, avocations and professions to maintain that farm.

We're talking about agricultural workers, not about the kids helping to harvest even an acre of cucumbers. We're talking about industrialized agricultural scenarios, huge agri-industry, megafarms, corporate farming, the corporate farms that kill farm workers on an annual basis in this province. If they don't kill them, they poison them, they maim them. Those agricultural workers who want to have the right to freely collectively bargain know full well that it's not about wages, because they know they are in a low-wage industry; make no mistake about it.

But what fair-minded person would deny these same workers the right to negotiate around health and safety? There isn't a fair-minded Ontarian who would deny agricultural workers the right to collectively bargain around workplace health and safety. That class of fair-minded Ontarians, regrettably, does not include the Liberals at Queen's Park, who, with their Conservative cousins, persist in denying agricultural workers the right to join unions in any way, shape or form, to join them in any manner.

What more repugnant thing is there than a scab who crosses a legal picket line to steal a job from a hard-

working woman or man who is negotiating a little fairer wages, a little better pension, a modest improvement in benefits or maybe some job security? Is it wrong to fight to keep good jobs in your community? Is it wrong to fight for better wages? Is it wrong to fight for an improvement in your benefits, maybe a little bit of a dental plan or an eyeglasses plan? Is that wrong? Is it wrong to fight for a better pension or, if you have no pension, to fight for even the most modest of pensions? I say no. And you know as well as I do that no single worker can do that alone. For workers to be able to pursue fairer wages, better benefits, improved pensions and safer workplaces, they've got to work together, and working together means belonging to a trade union and negotiating these things at the bargaining table.

I was chair of the committee that travelled the province in the early 1990s with Bill 40, a collection of the most progressive labour legislation reform this province had ever seen. It included a ban on scabs, the most despicable form of life possibly conceivable, who would cross a picket line to steal a job from a worker fighting for a little bit of improvement, and not for that worker; if you have ever been involved in a work stoppage or lockout, you know that you rarely reap whatever gains you win during the course of that exercise. The struggle isn't for yourself; it's for your kids or your grandkids. Is there anything wrong with that? Is there anything wrong with wanting your kids or your grandkids to have a little better life than you did? I say no.

1730

I come from an immigrant family, like more than a few people in this Legislature. Some of the members of this Legislature are immigrants in their own right. I had grandparents who were peasants, not even literate in their own language, and a father who, as a child immigrant, was fortunate to have had grade 8.

I watched that generation as a kid. You want to talk about veterans? I watched that generation as veterans, my father among them. Let me tell you, among those veterans who fought for democracy were one hell of a lot of working women and men who came back here and became some of the most courageous, aggressive and successful trade union organizers you ever knew. These same veterans, after fighting a war in Europe and the Far East, fought like the devil in their own country for the right of workers to join a union by virtue of card-based certification. They did.

That postwar era—the late 1940s, the early 1950s—my goodness, as a kid I remember some of those struggles. They were some of the meanest, nastiest and, yes, from time to time bloodiest of struggles, as bosses' goons would beat up organizers in workplaces. And workers who dared to talk union in that plant or in that mine would find themselves sent home without a job and listed so they could never be employed again in that town, in that county, in that district, ever—those were veterans. They were veterans of World War II who came home to be veterans of some of the most difficult struggles by workers that this continent has ever seen.

Once again, they didn't do it for themselves. There was no benefit to be gained by them. They did it for their kids and their grandkids.

I reflect on my own family. I told you: illiterate grandparents, peasants, a small village in eastern Europe—I've been there. My own father: very limited education, but he was fortunate enough—no, he wasn't; I was—to be a unionized steelworker. So notwithstanding six kids, that immigrant union steelworker's kids all got to go to college and university. Nobody was ever rich, but nobody in that union household ever went without food on the table.

The development of benefits—and I remember as a kid, like a whole lot of other people here, that dental plans were late in coming in benefits packages. So to our regret and chagrin now, as adults, visits to the dentist were rare occasions. There was no such thing as a six-month checkup. See, when you don't have a dental plan and you're in a non-union workplace, there is no such thing as, like the health ads say, "Every six months, visit your dentist for a checkup." It just doesn't happen. The sad thing is that in families that are non-union, where there are no dental plans, extractions are more common than fillings. What happens is, in families that are low-income, that have to struggle, that don't have dental plans, you put off going to the dentist until the situation is so bad the dentist has to pull it.

I am dismayed that there are people in this province left who don't believe in a strong union movement. I just shake my head in wonderment at Liberals, with their Conservative colleagues, who in the year 2005, in the 21st century, would persist in the position that agricultural workers shouldn't be allowed to belong to a union so they can negotiate things like health and safety in their workplaces. And I'm disgusted that in the 21st century, in the year 2005, we have governments that participated in the repeal of the NDP anti-scab legislation when they were members of the opposition and who persist in protecting workers from scabs when they're in government.

I remember, as do so many public sector workers, the promise of Dalton McGuinty and the Liberals to those workers when it came to successor rights. Ms. Martel, do you remember?

**Ms. Martel:** Yes, I do.

**Mr. Kormos:** You bet your boots you do, Ms. Martel. You bet your boots Ms. Martel remembers, because Dalton McGuinty and the Liberals promised the restoration of successor rights in this province. Dalton McGuinty and the Liberals not only promised the restoration of successor rights; they put it in writing. Not only does this government persist in its dismantling—

**Mr. Richard Patten (Ottawa Centre):** We're not finished.

**Ms. Martel:** You sure are.

**Mr. Kormos:** Richard Patten interjects, "We're not finished." Ms. Martel replies, "You sure are."

Not only does this government persist in the dismantling of the public service and in the process of privatization with a clear commitment to P3s, privatization,



contracting out, but then it continues to deny, notwithstanding its promise, successor rights to those workers continuing, and in growing numbers, to be displaced by that same privatization and contracting out.

I'm proud of that NDP government's history in the early 1990s, with its introduction of agricultural workers to the family of trade unions. I'm proud of the NDP government's banning of scabs. I'm proud of the NDP government's support for things like proxy pay equity.

I find this debate to be a particularly disappointing one. I understand where the Conservatives are coming from. They've been clear. They've been consistent. They've been very much onside with corporate interests, as if those interests needed a voice in Parliament. But I understand. And while I disagree, oh, so fundamentally with Ms. Witmer, their labour critic, the member for Kitchener-Waterloo, and I reject her position entirely, I nonetheless understand that it reflects a particular point of view. It's not a pro-worker point of view. It's far more consistent with the global agenda than it is with the development, never mind maintenance, of a high-wage economy. But it is a point of view, and it's a point of view that Ms. Witmer, the member for Kitchener-Waterloo, and most of her colleagues and her party have maintained for a considerable period of time. Mind you, it's very much at odds with the point of view taken by Premier Leslie Frost darn near 50 years ago. The Conservative point of view of today is in real conflict with the point of view of the Conservatives of John Robarts or the Conservatives of—

*Interjections.*

1740

**The Acting Speaker:** Order, please. There's only supposed to be one conversation going on, gentlemen. It's going back and forth, and I cannot hear the debater. The member from Niagara Centre has the floor, and I would request the others to please listen.

**Mr. Kormos:** Speaker, I invite you to simply throw them out.

**Ms. Martel:** That's one solution.

**Mr. Kormos:** Ms. Martel replies, "There's one solution."

The Conservative perspective and positioning of today is far different from that of Leslie Frost, John Robarts, Bill Davis or Frank Miller, or Liberal David Peterson. Make no mistake about it, Bill 7, one of the first pieces of legislation passed after the Harris election in 1995, the one that dismantled Bill 40 of the New Democrats, the one that put scabs back into workplaces, the one that stripped away the rights of agricultural workers to freely collectively bargain, notwithstanding the Charter of Rights and Freedoms—I want you to understand. Take a look at the record and you will read that the Liberals endorsed wholeheartedly the Conservatives' repeal of anti-scab legislation. The Liberals endorsed wholeheartedly the Conservatives' repeal of the right of agricultural workers to belong to unions. Just between you and me, the Liberals were Tories then, and they're Tories now.

What we've learned as a result of Bill 144 is that the Liberals continue to have far more in common with the Conservatives than they do with anybody else. The Conservatives insisted that card-based certification wasn't a legitimate way for workers to join and belong to and certify a trade union, and the Liberals agree. The Tories insist that agricultural workers are somehow not entitled to the same right to belong to trade unions, and the Liberals agree.

The Conservatives insist that scabs and scab operations, with their black-booted, SWAT-team-suited, guard-dog-escorted, blacked-out-window buses, should be allowed to mow their way through picket lines of working women and men and their families, knocking them down left and right and putting them in the hospital. I was down at Navistar where one of the brothers found himself in hospital, not just for a couple of hours or a couple of days, but for weeks and weeks, with very serious, darn near fatal injuries, when a bus full of scabs escorted by these black-suited, SWAT-team-suited, uniformed, guard-dog-escorted, German-shepherd-and-pit-bull-guided professional scab breakers drove their scab bus through a lawful, peaceful picket line, knocking down workers the way a bowling ball knocks down tenpins.

Did you know that during that period of time when we had anti-scab legislation in this province, there were fewer work stoppages? When there were work stoppages, strikes or lockouts, they were far shorter, and there was not a single incident of scabs forcing their way across picket lines. I consider that pretty productive stuff. I consider that pretty legitimate and progressive labour reform. The Tories don't, never did, and the Liberals agree with them. Let me make something real clear: New Democrats believe in remedial certification. We always have. We have no qualms about remedial certification. We urge its immediate restoration. You remember the decertification notices that unionized workplaces were required to put up in those workplaces? Do you remember that?

**Ms. Martel:** Stockwell.

**Mr. Kormos:** That's right; Ms. Martel says "Stockwell."

**Ms. Martel:** Where is he now?

**Mr. Kormos:** Where is he now? He could be on a European cruise, but not likely; he doesn't have the government credit card any more.

**Ms. Martel:** Not paid by OPG any more.

**Mr. Kormos:** Not paid by OPG, you're saying, Ms. Martel.

I remember Mr. Stockwell, the Conservative Minister of Labour, with his decertification notices. They were a joke to begin with. Give me a break. What a silly, silly, stupid, petty thing. But you want to know something? The Liberals' repeal of the law requiring decert notices has nothing to do with the fact that they're stupid, petty, irrelevant and meaningless. The Liberals had two options: repeal the decert notices, or put up certification notices in non-union workplaces. And do you know

what? Right here and now, I'll say it to you right now—and some of my union sisters and brothers, I suspect a whole lot of them, are inclined to agree—that if you had to put up certification, “How do you form, how do you belong to a union?” notices in non-union places, why, you could put up all the decertification posters you wanted to in unionized workplaces. Do you understand what I'm saying? If the workers in non-union workplaces were given fair, real access in those workplaces to how to belong to a union, why, put up all the decertification posters you want. Because do you want to know something? I saw some of those decertification posters. They became the repositories of some the most blunt, straightforward, sometimes graphic commentary on bad bosses, bad supervisors and bad foremen, so that the bosses were tearing them down: “Foreman A is an a, b, c; check which box you prefer.” It was the bosses who were taking these darned decertification notices down.

This government wasn't opposed to decertification notices. This government was adamant, adamant, and so deep in the back pockets of Wal-Mart that it's spitting out lint. This government was adamant that it wouldn't put up “How to join a union” notices in those non-union workplaces. And look, just like we support remedial certification—of course we do; of course New Democrats support remedial certification—just like we support repeal of the requirement that there be decert notices—although I'll tell you right now, I'd be more than pleased to stand up and say, “Let's put up decert notices in every unionized workplace,” but put up “How to form a union” notices in every Wal-Mart. The government's not ready to do that, is it?

We also support the repeal of the provision that makes it unnecessary for trade union leaders to disclose their wages. Because do you know what? You can go to any convention of any union in any convention year, and the salaries of the union leaders are going to be publicly disclosed in the minutes and in the financial sheets of that union. It's never been a secret. Again, silly stuff, silly stuff.

But what about card-based certification? Because New Democrats fundamentally agree with the Conservatives about card-based certification. See, we believe that the pressures that are applied on workers between the card-signing campaign and then the vote that it drives—the pressures are so profound that no fair vote could ever conceivably or reasonably take place.

1750

We heard about it over and over again. Anybody who has any experience whatsoever in the labour relations field understands it. Read any number of cases. Pick a case. Close your eyes and pick a case under the Ontario Labour Relations Act and see a ruling.

We understand that the Conservatives fundamentally disagree. They don't believe that card-based certification should be available to workers and, once again, the Liberals are very much onside with the Conservatives, not of Leslie Frost, John Robarts, Bill Davis or Frank

Miller, but with the Conservatives of Mike Harris and that, oh, Johnny-come-lately Ernie Eves.

I find it fundamentally dishonest to somehow say that card signing as a basis for card-based certification isn't a legitimate indicator of wanting to belong to a union by a Wal-Mart worker, yet it is by a building trades worker. Understand this, my sisters and brothers in the building trades, including the occasional Liberal Party member who wants to advance the interests of the Liberal Party: Whether those interests are consistent with their members or not, please, the building trades didn't win a victory here, and let me explain why.

It was Wal-Mart that won the victory because not one of the single presentations by any of the lobby groups for the construction industry campaigned against card-based certification for building trades workers. That spoke volumes. The construction industry isn't afraid of card-based certification. That's not to say I want to deny building trades workers the right to card-based certification. Of course not. But understand that what happened here—look, unions are entitled to give their money to whomever they want. I'm the last person in the world who's going to tell unions who to give their money to. That's for unions to decide. I reject, with all due respect, the proposition that some of the building trades bought this legislation with fundraisers. I reject that. I do, Ms. Martel, because they weren't the winners. Wal-Mart and its ilk were the winners, and the Wal-Mart workers were the losers. Bill 144 is the Wal-Mart bill.

I agree with the labour movement and the trade union movement that the restoration of card-based certification is, oh, so imperative, but I condemn a government that has put itself in a position where it's so beholden to Wal-Mart, surely the most anti-worker, anti-union employer on this continent. I condemn a government so beholden to Wal-Mart, based down there somewhere in the United States of America, that it would effectively deny those workers, those men and women working in Wal-Mart for the lowest of wages, for the poorest of benefits, for the poorest of pensions, and in the case of benefits and pensions, if any, I condemn a government so beholden to Wal-Mart that it would turn its back on those working women and men and deny them the right to join a trade union.

When you're working with Wal-Mart, denying those folks the right to card-based certification is effectively denying them the right to membership in a trade union because Wal-Mart, quite frankly, at the end of the day—you've seen it. You saw it, you heard it, you read it, you loved it. They will use the big threat of shutting her down. We saw it in Quebec just recently, didn't we, Speaker? You read it just like I did. We saw the incredible interference. We learned about slush funds in Wal-Mart, about payoffs, about goons, about the heavy-handed, lean-on tactics. You've got to understand, the lowest-income workers are the ones who most need their jobs. They haven't been able to accumulate savings to tide them over in difficult times. The lowest-income workers, the poorest folks in this province, the ones who



most need a union are the ones who find it hardest to join that union, especially once the corporate bosses start meddling and interfering and threatening to shut down that Wal-Mart or fire them or their colleagues.

We know full well—pick any page of the judgments under the Ontario Labour Relations Act and read some of the decisions pursuant to the act. Firing, not a union organizer but a co-worker who has been talking union, has a remarkably chilling effect on the rest of the workers and on the vote three days later at a so-called secret ballot held in the company on the shop floor, with the foreman and the boss and his agents looking over your shoulder and checking you off the list of employees. Secret ballot, my foot. What a misinterpretation of secret ballot.

#### *Interjections.*

**The Acting Speaker:** Order, please. Members on the government side, there must be 15 conversations. I can't hear a thing.

**Mr. Kormos:** This bill is far more about denying Wal-Mart workers the right to join a union than it is about letting building trades workers join a union by virtue of card certification. New Democrats don't begrudge building trades workers card-based certification by any stretch of the imagination. New Democrats gave the government members on the committee an opportunity to support an amendment that would extend card-based certification to every worker in this province. The final person, government members parroting, little marionettes with their arms just a-flapping as the strings were being pulled, while the blades were being whipped out of them—government members, Liberal backbenchers, parroted the instructions of their whip on that committee and voted against card-based certification for every worker in this province. What a shame, what an abandonment, what an abdication of your responsibilities to your constituents.

I understand why some of your party leadership is so intimate with the wealthy corporate elements in this province and with the Wal-Marts. But good grief, understand that Wal-Mart doesn't vote; its workers do. You don't represent Wal-Mart; you represent its workers. The Liberal members on the committee who rejected the NDP

amendment extending card-based certification to every worker in this province—it was a direct attack on those workers. You had the chance to show some courage. You had the chance, Liberal backbenchers, to show some independence. You had the chance, Liberal backbenchers, to put your words—words are cheap—into action. You had the chance to make a difference as mere backbenchers. You've learned by now, haven't you, backbenchers in the Liberal caucus, that those chances don't come by very often. You had the chance when you could have supported an amendment that would extend card-based certification to every worker in this province, and you blew it.

You, like so many before you, can reflect on lost opportunities. But as you moan and groan about your lost opportunities, think about the betrayal of the workers: the Wal-Mart workers, the lowest-paid workers, the most abused workers, the most set-upon workers, the workers who are most readily and easily intimidated in that period of time between a card signup campaign and the actual so-called vote.

Think about hotel workers: the cleaning staff, the new Canadians, so many of them women, cleaning other people's crappy toilets in high-priced hotels—think about it; I'm not going to mince words—on their hands and knees, scrubbing out bathtubs and cleaning other people's crappy toilets in \$350-a-night hotel rooms for \$8.50 and \$9 an hour. You talk to them; you know who they are. In short order their backs go or their knees go, and then they're put on quotas. They've got time management people monitoring with the old stopwatch, trying to up the number of rooms they do in a day. I've talked to them. A crummy \$2 tip is a big deal when you're making \$9 or \$9.50 an hour. These are the people who are going to be denied the right to join a trade union and collectively bargain around wages, work conditions, health and safety, pensions and benefits. These are the people you turned your back on.

**The Acting Speaker:** It now being 6 of the clock, this House stands adjourned until 6:45 this evening.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiques et de l'Immigration
Barrie-Simcoe-Bradford	<b>Tasca, Joseph N. (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative		Marsales, Judy (L)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Hamilton West / Hamilton-Ouest	
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of the Environment / ministre de l'Environnement
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Huron-Bruce	Mitchell, Carol (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brant	Levac, Dave (L)		<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston and the Islands / Kingston et les îles	Milloy, John (L)
Burlington	Jackson, Cameron (PC)		Witmer, Elizabeth (PC)
Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / Kitchener-Centre	Van Bommel, Maria (L)
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener-Waterloo	Sterling, Norman W. (PC)
Davenport	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Runciman, Robert W. (PC)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	Lanark-Carleton	Matthews, Deborah (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Leeds-Grenville	
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London North Centre / London-Centre-Nord	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Labour / ministre du Travail
Durham	O'Toole, John (PC)	London West / London-Ouest	Ramal, Khalil (L)
Eglinton-Lawrence	Colle, Mike (L)	London-Fanshawe	Wong, Tony C. (L)
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Markham	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Transportation / ministre des Transports
Erie-Lincoln	Hudak, Tim (PC)	Mississauga Centre / Mississauga-Centre	Fonseca, Peter (L)
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga East / Mississauga-Est	Peterson, Tim (L)
	Cansfield, Donna H. (L)	Mississauga South / Mississauga-Sud	Delaney, Bob (L)
Etobicoke Centre / Etobicoke-Centre		Mississauga West / Mississauga-Ouest	
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Nepean-Carleton	Baird, John R. (PC)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Niagara Falls	Craiton, Kim (L)
Guelph-Wellington	Sandals, Liz (L)	Nickel Belt	Martel, Shelley (ND)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Nipissing	Smith, Monique M. (L)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Northumberland	Rinaldi, Lou (L)
Halton	Chudleigh, Ted (PC)	Oak Ridges	Klees, Frank (PC)



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Oakville	Flynn, Kevin Daniel (L)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Oshawa	Ouellette, Jerry J. (PC)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Thornhill	Racco, Mario G. (L)
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton</b> (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Thunder Bay–Atikokan	Mauro, Bill (L)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim</b> (L) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Thunder Bay–Superior North / Thunder Bay–Superior- Nord	Gravelle, Michael (L)
Ottawa–Orléans	McNeely, Phil (L)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David</b> (L) Minister of Natural Resources / ministre des Richesses naturelles
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine</b> (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Oxford	Hardeman, Ernie (PC)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Parkdale–High Park	<b>Kennedy, Hon. / L'hon. Gerard</b> (L) Minister of Education / ministre de l'Éducation	Toronto–Danforth	Churley, Marilyn (ND)
Parry Sound–Muskoka	Miller, Norm (PC)	Trinity–Spadina	Marchese, Rosario (ND)
Perth–Middlesex	Wilkinson, John (L)	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg</b> (L) Minister of Finance / ministre des Finances
Peterborough	Leal, Jeff (L)	Waterloo–Wellington	<b>Arnott, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Whitby–Ajax	Flaherty, Jim (PC)
Prince Edward–Hastings	Parsons, Ernie (L)	Willowdale	Zimmer, David (L)
Renfrew–Nipissing–Pembroke	Yakubski, John (PC)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra</b> (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Samia–Lambton	Di Cocco, Caroline (L)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight</b> (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Sault Ste. Marie	Oraziotti, David (L)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York North / York-Nord	Munro, Julia (PC)
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough Southwest / Scarborough-Sud-Ouest	<b>Berardinetti, Lorenzo</b> (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry</b> (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement		
Scarborough–Rouge River	<b>Curling, Hon. / L'hon. Alvin</b> (L) Speaker / Président		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J.</b> (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St. Paul's	<b>Bryant, Hon. / L'hon. Michael</b> (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: John O'Toole  
Wayne Arthurs, Caroline Di Cocco, Andrea Horwath,  
Cameron Jackson, Kuldip Kular, Phil McNeely  
John Milloy, John O'Toole, Jim Wilson  
Clerk / Greffier: Trevor Day

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Toby Barrett, Mike Colle, Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell, John O'Toole,  
Michael Prue, John Wilkinson  
Clerk / Greffier: Trevor Day

**General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Vic Dhillon  
Marilyn Churley, Vic Dhillon, Brad Duguid,  
Linda Jeffrey, Jean-Marc Lalonde,  
Deborah Matthews, Jerry J. Ouellette,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Tonia Grannum

**Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Présidente: Andrea Horwath  
Lorenzo Berardinetti, Michael Gravelle,  
Andrea Horwath, Tim Hudak,  
David Oraziotti, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona  
Clerk / Greffière: Susan Sourial

**Justice Policy / Justice**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-Président: Bob Delaney  
Michael A. Brown, Jim Brownell, Bob Delaney,  
Kevin Daniel Flynn, Frank Klees, Peter Kormos,  
Shafiq Qaadri, Mario G. Racco, Elizabeth Witmer  
Clerk / Greffier: Katch Koch

**Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Donna H. Cansfield, Bob Delaney,  
Ernie Hardeman, Rosario Marchese, Ted McMeekin,  
Norm Miller, Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffier: Douglas Arnott

**Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Laurel C. Broten, Jim Flaherty, Shelley Martel,  
Bill Mauro, Julia Munro, Richard Patten,  
Liz Sandals, Norman W. Sterling, David Zimmer  
Clerk / Greffière: Susan Sourial

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Marilyn Churley  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Marilyn Churley, Kim Craiton,  
Kuldip Kular, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Maria Van Bommel, Tony C. Wong  
Clerk / Greffière: Tonia Grannum

**Social Policy / Politique sociale**

Chair / Président: Mario G. Racco  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Arnott, Ted Chudleigh, Kim Craiton,  
Peter Fonseca, Jeff Leal, Rosario Marchese,  
Mario G. Racco, Khalil Ramal, Kathleen O. Wynne  
Clerk / Greffière: Anne Stokes



## TABLE DES MATIÈRES

**Mercredi 18 mai 2005**

### **PREMIÈRE LECTURE**

<b>Loi de 2005 modifiant la Charte des droits des victimes d'actes criminels (reconstitution d'actes criminels), projet de loi 202, <i>M. Jackson</i> Adoptée.....</b>	<b>7134</b>
<b>Loi de 2005 sur la Semaine des vins de l'Ontario, projet de loi 203, <i>M. Crozier</i> Adoptée.....</b>	<b>7134</b>

### **TROISIÈME LECTURE**

<b>Loi de 2005 modifiant des lois concernant les relations de travail, projet de loi 144, <i>M. Bentley</i> Débat présumé ajourné.....</b>	<b>7167</b>
--	-------------

# CONTENTS

Wednesday 18 May 2005

## MEMBERS' STATEMENTS

<b>Community Safety Village of York Region</b>	
Mrs. Munro .....	7131
<b>Crime Stoppers</b>	
Mr. Murdoch .....	7131
<b>Canadian Tulip Festival</b>	
Mr. Patten .....	7131
<b>Tourism</b>	
Mr. Arnott .....	7132
<b>St. Stephen-in-the-Fields Anglican Church</b>	
Mr. Marchese .....	7132
<b>Post-secondary education</b>	
Mr. Ramal .....	7132
<b>Skills training</b>	
Mr. Zimmer .....	7133
<b>Agricultural funding</b>	
Mrs. Van Bommel .....	7133
<b>Ontario budget</b>	
Mr. Oraziotti .....	7133

## REPORTS BY COMMITTEES

<b>Standing committee on government agencies</b>	
The Speaker .....	7133
Report deemed adopted .....	7133

## FIRST READINGS

<b>Victims' Bill of Rights Amendment Act (Crime Redepiction), 2005,</b>	
Bill 202, <i>Mr. Jackson</i>	
Agreed to .....	7134
Mr. Jackson .....	7134
<b>Ontario Wine Week Act, 2005,</b>	
Bill 203, <i>Mr. Crozier</i>	
Agreed to .....	7134
Mr. Crozier .....	7134

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Services for the developmentally disabled</b>	
Ms. Pupatello .....	7134
Mr. Jackson .....	7136
Mr. Prue .....	7136

## ORAL QUESTIONS

<b>Police services</b>	
Mr. Hudak .....	7140
Mr. Kwinter .....	7140, 7141
Mr. Dunlop .....	7141

<b>Social assistance</b>	
Mr. Prue .....	7142
Ms. Pupatello .....	7142, 7144
Mrs. Cansfield .....	7144

<b>Pension plans</b>	
Ms. Horwath .....	7142
Mr. Sorbara .....	7143

<b>Environmental legislation</b>	
Mr. Barrett .....	7143
Mrs. Dombrowsky .....	7143

<b>Police officers</b>	
Mr. Kormos .....	7144
Mr. Kwinter .....	7144

<b>Meat inspection</b>	
Mr. Hardeman .....	7145
Mr. Peters .....	7145
Mr. Phillips .....	7146

<b>Police use of Tasers</b>	
Ms. Horwath .....	7146
Mr. Kwinter .....	7146

<b>Water quality</b>	
Mrs. Mitchell .....	7146
Mrs. Dombrowsky .....	7146

<b>Hydro rates</b>	
Mr. O'Toole .....	7147
Mr. Duncan .....	7147

<b>Research and development</b>	
Ms. Horwath .....	7147
Mr. Cordiano .....	7147

<b>Highway construction</b>	
Mr. Zimmer .....	7148
Mr. Takhar .....	7148

<b>Transit funding</b>	
Mr. Klees .....	7148
Mr. Takhar .....	7148

## PETITIONS

<b>Gravenhurst Hydro Electric Inc.</b>	
Mr. Miller .....	7149

<b>Anti-smoking legislation</b>	
Mr. Delaney .....	7149
Mr. Klees .....	7149

<b>Disabled persons parking permit program</b>	
Mr. Brown .....	7149

<b>Community health centres</b>	
Ms. Scott .....	7150

<b>Wildlife protection</b>	
Mrs. Van Bommel .....	7150

<b>Halton Recycling plant</b>	
Mrs. Munro .....	7150

<b>Credit Valley Hospital</b>	
Mr. Flynn .....	7150
Mr. Delaney .....	7151

<b>Regional centres for the developmentally disabled</b>	
Mr. Wilson .....	7151

<b>Ontario budget</b>	
Mr. Berardinetti .....	7151

<b>Motorcycle insurance</b>	
Mr. Barrett .....	7151

## THIRD READINGS

<b>Labour Relations Statute Law Amendment Act, 2005,</b>	
Bill 144, <i>Mr. Bentley</i>	
Mr. Bentley .....	7152
Mr. Flynn .....	7153, 7154
Ms. Martel .....	7153
Mr. Berardinetti .....	7153
Mrs. Munro .....	7154, 7162
Mr. Duguid .....	7154
Mrs. Witmer .....	7154, 7163
Mr. Yakabuski .....	7162
Mr. Barrett .....	7162
Mr. Murdoch .....	7162
Mr. Kormos .....	7163
Debate deemed adjourned .....	7167

## OTHER BUSINESS

<b>Legislative page</b>	
Mr. Arnott .....	7131

<b>Visitors</b>	
Mr. Kormos .....	7134
The Speaker .....	7137, 7149

<b>Wearing of bracelets</b>	
Ms. Pupatello .....	7134

<b>Community Living Day</b>	
Ms. Pupatello .....	7137
Mr. Jackson .....	7138
Mr. Prue .....	7139

Continued overleaf





No. 148B

N° 148B

ISSN 1180-2987



## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 18 May 2005

# Journal des débats (Hansard)

Mercredi 18 mai 2005

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

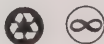
L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 18 May 2005

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 18 mai 2005

*The House met at 1845.*

## ORDERS OF THE DAY

### EDUCATION AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT LA LOI SUR L'ÉDUCATION

Mr. Kennedy moved third reading of the following bill:

Bill 194, An Act to amend the Education Act / *Projet de loi 194, Loi modifiant la Loi sur l'éducation.*

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Kennedy.

**Hon. Gerard Kennedy (Minister of Education):** It gives me great pleasure to rise in the House and give support to the bill we have brought forward. It is not the most momentous bill that will be considered or passed in this session, but it is, I think, symbolic of the hope and intent of everyone in this House to provide an education for every child in Ontario, irrespective of their position, their social station and, in this case, their immigration status.

It's a factor that I don't think we want to hold against the children and young people who happen to be in these families, particularly because it is almost always because of an administrative process, a designation that doesn't let them be the students they want to become and, I think it's important for everyone to know, that in most cases they are going to become anyway. In most cases these are families who have applied for status or applied for either citizenship or privileges that will eventually be extended. But in the meantime they are in this education grey zone.

I think it epitomizes the overall outlook that a lot of Ontarians share—in fact maybe all Ontarians at this point—around the purposes of education in the first place. Education in Ontario is a privilege, but it's also a right. I think we've come to extend that by this time. We actually have a law that says it is mandatory to go to school if you are under age 16—between the ages of 5 and 16; 4 is still optional—and you need to have your child in a recognized educational program. We don't do that very often; we don't say "you must," "you shall." There are, at least on the books, penalties that are occasionally applied for truancy and so on, for someone's children, unless it's a fairly serious matter. And the serious matter is that everybody agrees that publicly funded education actually matters that much.

We didn't start off at the point where we said everybody should be in some form of recognized education. We arrived there by learned experience that this is the way we move forward. Of course this province has defined itself in the fashion of successive waves of immigrants coming to this province. No matter when you did, you were part of that; your family was part of that. Trying to do better for yourself, whether it was your grandparents or great-grandparents—whoever—and their kids. The way you do better for your kids, not exclusively in the past but increasingly now, is through education. You have to get into the education system and thrive in it, and we hope you take yourself as far as you possibly can. Our kids are going to be smarter than us because they need to be. That's the nature of the world they are born into. It makes no sense at all, Bill 194 proposes, to leave some kids without a head start.

The Premier and I did an event on boys' reading with coach "Pinball" Clemons. He does an interesting exercise around boys' reading. He takes a young boy and has him stand about 20 feet away, and he has a young girl stand about a foot away. He holds a toonie in his hand—I shouldn't be revealing this, because both the Premier and I use this routine now when we visit schools. You hold a toonie in your hand and say to the boy and the girl, "This toonie is going to whoever gets here first." The young boy labours mightily and runs like crazy, but of course the girl reaches out and touches it.

The basic thing there is to say, "That's not fair." But that's what happens. That's the fundamental problem, the disadvantage, ultimately the unfairness that is visited upon those who fall behind in education, whether they are boys, who for a variety of factors aren't taking an equal interest in reading compared with girls—unfortunately they're 20 points behind in this province; something we're now trying to close the gap on—or whether they happen to be the kids we're talking about through Bill 194.

### 1850

Why would we want them to start behind? Who would it benefit by having them out of school for six months, 18 months, two years while an immigration status is being resolved? It's going to make it more difficult for that eventual student to learn and potentially more expensive for the system to contend with, and it simply doesn't make sense that we wouldn't follow through on the intentions of generations past and honour the idea that a child should be in school almost beyond any other circumstance.

In recent years we have expanded that definition. In 1984, this Legislature passed a law—actually, I think it was passed in 1981 and came into effect in 1984—that said every child, regardless of their circumstances, had a right to go to school, and that meant children with extra challenges, with intellectual disabilities, with a range of things that were perhaps holding them back. For example, today we had Community Living here.

I grew up with an uncle who was intellectually challenged. He went to school for about five years. In the old vernacular, they called him “tongue-tied.” He had a cleft palate. He got a paper route and sold greeting cards and did a range of things. But I grew up with him, and I can tell you that he never got a chance to access his potential because of the attitudes of those days. He did a tremendous amount for himself, but it wasn’t recognized in the school system.

What we decided to do for this broader range of children is nothing less than extend citizenship to them. We are saying, “You matter, you count,” and even underneath that we’re saying, “You can look after yourself to the greatest degree possible.” It’s a smart thing to extend that citizenship to those classes of children.

What we have here today is small in extent; we may have on the order of 250 or 300 children whom this may affect. But it’s a profound tragedy not to have these kids included, to actually think that they would be excluded, that they show up at the school door, meet with the principal and can’t be put on the register. Can you imagine the frustration? They look outside and see the kids playing, they see the classroom, they see the teacher, but they can’t access them. They’re here, they’re in this country, and we’re told by the most reliable data we have that in 85% or 90% of cases they’re eventually going to become citizens. They shouldn’t start behind the eight ball; there’s no need for it. We can accommodate this. This is not about extending any particular benefits; this is a reciprocal benefit. That child comes ready to learn. Let’s give them the chance. They’ll do better than if we exclude them or shut that school door.

I appreciate that there have been expressions of support for this bill on the part of all members in this House. I think it is nothing less than a punctuation, an expression of a very widely shared and strongly held sentiment that we in this province define people by where they’re going, not by where they came from. This is something that needs to be expressed over and over again. Some of us represent newer Canadians, whether it’s Polish Canadians or Filipino Canadians or any background. Some of the home countries have institutions that, at different times, have been under some risk, haven’t necessarily had democracy for a long time or have had big interruptions in that democracy. There are things they have had to fight and struggle for that we take for granted.

I think it’s important and refreshing for us to wrestle a bit with those corners of our own system that we would be so likely to take for granted if we didn’t try to stretch that system to make sure it really doesn’t exclude

anybody, either by omission or by deliberate action on our part. I think it’s quite helpful that members are prepared to debate and, we’ve heard so far, are prepared to support this concept of really extending the reach of education into every corner, to make it so we don’t have ignorance by accident, that we don’t have exclusion because we couldn’t be bothered. We need, in a very large sense, to not take education for granted. Our children and our grandchildren will not thrive if we take a complacent outlook, and by working in this House tonight and on other occasions to extend to this number of children who would fall between the cracks—we’re reminding ourselves of that. We have a much bigger job to do in education, but this is a good symbol for it.

We’re going to need to try to find—and some of those children that we want to get a good education are in the system. There may be 250, there may be 300, and there may be 3,000 of them. They may be in a rural school that isn’t getting all the resources it needs. They may be in an urban school with an English-as-a-second-language challenge that we haven’t met yet, or an aboriginal child in the northwest that has similar early needs that we need to get to.

With this bill, we’re sending a signal all across this province that, whether your child comes gifted and ready to go as far as the system will challenge them or whether they have some of these extra challenges, we will not take it for granted that the system can do that. It will be the absolute commission of this House to make sure that every child is reached, and that’s what this bill does. There is a saying down in the south, “No child left behind.” That is what this bill intends to accomplish.

**The Deputy Speaker:** Questions and comments? There being none, further debate?

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** I would ask unanimous consent to stand down our lead. I wish to speak for 15 minutes or so.

**The Deputy Speaker:** The member for Haldimand–Norfolk–Brant has requested unanimous consent to stand down the lead and that he be allowed to speak for 15—

*Interjection.*

**The Deputy Speaker:** OK, just standing down the lead is what we’re after. Agreed? Agreed.

**Mr. Barrett:** Thank you, Speaker, and thanks for that vote of unanimity. With respect to Bill 194, An Act to amend the Education Act, again, on behalf of our caucus, we do make it very clear that we support the fact that all children in Ontario should have access to an education.

Our concern and a message we do wish to convey to this government is to continue your efforts with the federal government. This is one case where the federal government should be bearing much of the cost, a cost that can range from \$7,000 a year to \$12,000 a year. I certainly know it. A number of years ago, education costs in my riding in Haldimand–Norfolk–Brant were certainly considerably less than they were in the Toronto area, for example. Our point is that immigration falls under the responsibility of the federal government, and we submit that the McGuinty government should be demanding of



their federal cousins payment for the cost or part of the cost involved in sending children to school, the children of families who have very recently arrived in our country.

Cam Jackson, MPP from Burlington, brought the problem of these fees to the attention of the Minister of Education over a year ago. At that time, as I understand it, the government chose to ignore that. As a result of the government not acting on this immediately, children awaiting landed immigrant status were prevented from attending a school and receiving the kind of education that we do wish them to receive.

We have a situation in rural Ontario—of course, busing is a factor, and busing is becoming ever more a factor in our area, with the ongoing closure of elementary schools. I lost a high school a couple of years ago. You can imagine the economic impact alone that shutting down a high school would have on a town. I think of the town of Burford, where the high school closed a few years ago.

#### 1900

We have a threat now in the community of Delhi, again in part because of the approach this particular government takes to tobacco in the province of Ontario. You have pretty well shut down much of the business and industry in the town of Delhi. You cannot buy a new car in the town of Delhi now. All three dealerships have closed in the town of Delhi.

Shortly after the election, I called for action following a decision of the Grand Erie District School Board. At the time, they were in the unfortunate position of delaying a decision with respect to closing Seneca Unity Public School in Caledonia until they could find out more about the province-wide moratorium on school closures. At the time, if the government had made more clear their commitment with respect to an effective moratorium on rural school closures—they were dragging their heels at the time, even though this was clearly articulated during the 2003 election campaign.

Regrettably, the school board has now decided to close Seneca Unity. It's a consolidated elementary school. I think it was built in 1960. The reason I say that is that John Robarts attended the opening ceremonies for Seneca Unity Public School. John Robarts was the Minister of Education of the day. I do know that our Conservative predecessor, MPP and cabinet minister Jimmy Allan, attended the opening ceremonies of Seneca Unity. Jimmy Allan probably would have been Treasurer at that time. I'm very proud of the fact that both myself and Tim Hudak, I guess, were next in line on the PC side to fill the shoes of Jimmy Allan in our particular areas. Jimmy was from Dunnville in Erie-Lincoln, now represented by Tim Hudak. Jimmy Allan certainly represented Haldimand and Norfolk county, where my farm is.

Again, this board decision was made. It followed, at the time, after the 2003 election, what I considered a fairly lukewarm government request of school boards to abide by a moratorium on rural school closures; despite any mention of new dollars, no dollar announcements to

keep these schools open. At the time, Education Minister Gerard Kennedy admitted that, in some cases, boards may proceed with closures, despite the request. Regrettably, in the next few weeks, there will be an afternoon ceremony at Seneca Unity, just north of Caledonia, as that school closes its doors. Children will not be attending Seneca Unity.

Like business, school boards have a difficult time operating in a climate of uncertainty. Across the province, many boards were left with the unfortunate task of making these kinds of school closure decisions in a vacuum. I certainly indicated in this House, as with our immigrant children—and certainly over the time that I was in both elementary and secondary school—that I saw so many children, seatmates of mine when I was attending elementary school, who had arrived with their families after the Second World War. Again, they went through what I considered an excellent education system.

At that time, we were all in one-room public schools. That's, as you know, eight grades, one teacher. A music teacher would come around once a week. I felt that system worked for me. I felt it worked very well. There was essentially no administration. The students themselves in the senior grades, grades 7 and 8, took on somewhat of the mantle of administration, and certainly took on the role of teaching. When I arrived and was learning how to read in grade 1 or grade 2, students in grade 6 or 7 would sit down with me, tutor me and teach me how to read and how to spell. A number of years later, when I was in grade 7 and grade 8, I would be assigned a much younger student every day and would spend part of my day in that one-room school as a teacher. We made it work. As students, we ran the school; we took responsibility for the school. In many ways, when I think of it now, I think the teacher was there essentially as a consultant.

When I consider the sad closure of Seneca Unity—I just use this particular school as an example of a number of schools that are closing across rural Ontario. Seneca's closure comes little more than a year after the Minister of Education declared what many refer to as the much ballyhooed "moratorium" on school closures. As far as Seneca Unity, that moratorium wasn't worth the paper it was written on. That place will have the windows boarded up with plywood and the doors will be locked.

As I mentioned at the outset, the same education opportunities we are talking about this evening and legislating for the children of families of very recent arrivals to our province are fast fading for many students in many of the far-flung communities in the back roads in rural Ontario, in part due to a lack of action to protect our schools by this government. At the time of the moratorium, at that announcement, at that election campaign, I was certainly cautious in any optimism that I saw in people that this would save our schools, for what it would mean for those of us who know the real challenges of keeping these rural and small schools operating, schools that are operating now in an environment of trade unionism that I certainly didn't see when I was going to school in the 1950s and 1960s.

As a former high school teacher, I was a member of OSSTF, an association. There were no walkouts, there were no strikes. There was no law that would permit us, as secondary school teachers, to work to rule. I'm suggesting that there are some added administration costs in addition to the money allocated for wages and benefits.

I guess the bottom line for me is, despite the promises of a moratorium on rural school closures and enhanced funding, the situation does remain bleak for many of Ontario's rural schools. Caledonia's Seneca Unity is the latest area school to face the reality of closure. The doors won't open in September.

Again, as I did as a member of the previous PC government, I call on the current Liberal regime to continue with your declaration, continue with your moratorium on closure, and continue to allocate that additional resource to our rural schools before many more are lost.

**The Deputy Speaker:** Questions and comments?

1910

**Mrs. Julia Munro (York North):** I certainly want to comment on the remarks made by the member for Haldimand-Norfolk-Brant. One of the things that was referenced in his comments was the whole issue of rural school closings and the shift in population. I think this is something that deserves very serious attention.

I know the current government has made the decision to freeze those closures, but I think that while doing so there's an opportunity to look at different methods of delivery. There is an opportunity to look at the long-term effects of population changes. I would suggest it would be in everyone's best interests if they were to look very closely at those kinds of things, because obviously there is an extremely important role for those community schools. I think there are opportunities to be a little more creative. By having the moratorium on the freezing, this is an opportunity for the government to look at how to be more creative and maintain those opportunities for children in rural Ontario.

**The Deputy Speaker:** Questions and comments? There being none—oh, I'm sorry. The member for Renfrew-Nipissing-Pembroke.

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** I'm going to have to get rid of this cloaking device. That's the second time today that I've been deemed to be invisible, so we're going to have to do something about that.

Thank you very much for allowing me to speak to this Bill 194 that we're talking about this evening. I'm going to have the opportunity, I believe, to speak in a little more detail on it and other aspects of education, schools, school funding, rural funding, transportation funding and education in general as this debate progresses.

Let me say I was a little surprised to be doing this bill this evening because it was my understanding that we were going to be doing a transportation bill, Bill 169. But apparently the government is doing some kind of manoeuvring at this point. I'm not sure what the end-game is or what the plan is, but they're changing things in midstream to try to put people off.

In fact, it seems that they're not even putting up speakers as debate progresses. The minister only did a short lead. He is allocated an hour, as you know, Mr. Speaker. There's no need for me to tell you. You know all the rules, of course. But the minister is allowed an hour to do a leadoff on a bill as important as Bill 194, the Education Amendment Act. The Premier calls himself the education Premier and must feel that the minister is the best person in the province to handle the education file, yet he doesn't even want to stand up for more than a few minutes to support his own legislation.

We will have the opportunity to speak in a little more detail later on in the evening. I'm sure that the member for Perth-Middlesex will remain here and will not leave his seat until such time as I've had that opportunity, so I'm looking forward to it.

**Mr. Mike Colle (Eglinton-Lawrence):** It's very clear here that it's sometimes difficult to understand who's making the decisions in the official opposition. We are getting changing—

**Mr. Ted Chudleigh (Halton):** Look over in the corner there.

**Mr. Colle:** Which corner? I'm not sure.

**Mr. Chudleigh:** Over here.

**Mr. Colle:** I'm just looking—

*Interjection.*

**The Deputy Speaker:** Order.

**Mr. Colle:** It seems that every five minutes in the House this week there have been different people making leadership decisions or a lack of leadership decisions over there, and I really wonder who is in charge.

But anyway, getting to the bill, as we must, this is a bill for the benefit of Ontario students, whether they're new Canadians, whether they're new arrivals. It's a bill that's going to help people who, right now, are not being helped, and that is why the Minister of Education has put this bill forward.

I think all three parties agree that the content of this bill is a no-brainer. It's for the benefit of all of our constituents, and we agree. In fact, I think the member from Haldimand-Norfolk-Brant made a good point. He said, "I think the federal government should also be paying their fair share or giving back our fair share of our own Ontario taxpayer money so we can help all of Ontario's students." We feel they're being shortchanged by what's happening with the equalization payments.

This bill should proceed. It's good public policy. It helps children right across the province of Ontario, from Wawa to Windsor, from Thorold to Thunder Bay. Let's get on and do it. I think the Minister of Education is quite clear, he's ready to debate as long as you want, but we also have had a process here and we want to get on and do the business of the people of Ontario. We're ready to do that. I just wish the opposition would make up its mind who's in charge over there.

**The Deputy Speaker:** Questions and comments?

**Mr. Chudleigh:** This House is full of surprises, and today was no exception. We came to work today fully prepared to debate the transportation bill. Here we are



this evening debating the Education Amendment Act. Those kinds of rapid changes that happen in this place are of great concern to many of us.

There is no agreement attached to third reading of this bill. I think the government of the day, and certainly the backbench members of this government, should understand that although this bill will pass during this session of the Legislature, and it will probably pass with unanimous consent, this bill will not pass tonight. I think you have to understand that a majority government does not constitute a dictatorship, and a dictatorship in Ontario doesn't occur.

*Interjection.*

**Mr. Chudleigh:** No, it doesn't. I take issue with my friend from Welland-Thorold.

**Mr. Peter Kormos (Niagara Centre):** You've been here since 1995.

**Mr. Chudleigh:** Yes, I've been here since 1995, and I well understand that for the vast—

**The Deputy Speaker:** Order. I feel a little left out of the conversation.

**Mr. Chudleigh:** Mr. Speaker, for the vast majority of the time that I've spent in this House, it has been brought to my attention time and time again that a majority does not constitute a dictatorship. If the government wishes to change their mind, change their bills, then the government House leader is going to have to pay the price for those rapid changes which put the opposition at an extreme disadvantage. That disadvantage manifests itself in the kinds of things we're going to see existing in this House tonight. It's too bad. It's not a good way to govern, it's not the right way to govern and it's unfortunate.

One thing that did happen this evening is that the Minister of Education was making his comments and he was cut short. I would move that—

**The Deputy Speaker:** Another thing that happened is—I'm sorry.

**Mr. Chudleigh:** I would move for unanimous consent to allow the Minister of Education to complete his comments on his opening statement.

**The Deputy Speaker:** The member from Halton has asked that the minister be allowed to complete his comments. Is there unanimous consent? I heard a no.

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** On a point of order, Mr. Speaker: Just to ensure that the record is correct, I wouldn't want to think—

**The Deputy Speaker:** No. Whose record are you correcting? Yours?

*Interjection.*

**The Deputy Speaker:** I'm afraid you can only correct your own record, so that's not a point of order.

The member for Haldimand-Norfolk-Brant has two minutes to reply.

**Mr. Barrett:** I welcome the opportunity to reply to—there were some comments on my presentation. The point I wanted to make was that the past year and a half has been a bit of a roller-coaster ride for parents, in particular, in rural Ontario, teachers, obviously the students

and the community supporters of these very small schools. In my area they witnessed a relatively hard-fought election campaign, and it was a campaign where commitments were made. This government was victorious and the people in the community look forward to the fulfillment of a number of election promises. The one promise—and I know this was in documents—was “a moratorium on rural school closings.” I read this quote in the context of about a week from now—

**1920**

**Hon. Mr. Kennedy:** You guys closed 250 rural schools.

**Mr. Barrett:** I will maybe remind the Minister of Education, who was not in the House when I was talking about this, that I will be attending a rural school closing ceremony in the next week or so. I regret that, and I make reference to—I don't know whether the Liberals have eliminated this Web site or not: [www.ontarioliberal.ca](http://www.ontarioliberal.ca). I'd ask the Minister of Education to look this up. The title is, “McGuinty to Save Rural Schools.” McGuinty didn't do an awful lot for Seneca Unity, and the Minister of Education across the way obviously didn't lift a finger to save Seneca Unity either. I suggest to you, sir, that you are the victim of a toothless moratorium. You don't seem to have the wherewithal to enforce it yourself.

**Mr. Kormos:** Speaker, I seek unanimous consent for the lead comments by our education critic, Rosario Marchese, the member for Trinity-Spadina, to be held down until the next sessional day on which this bill is called for third reading debate.

**The Deputy Speaker:** The member has asked for unanimous consent. I think we all heard it. Is there unanimous consent? I heard a no.

*Interjections.*

**The Deputy Speaker:** Hey, let's try this all over again, and let's all listen. You heard what he said: unanimous consent for standing down the critic for the third party. Do we have unanimous consent? Agreed.

Further debate?

**Mr. Kormos:** Thank you to the persons present in this chamber for granting unanimous consent, because Mr. Marchese, as you can well imagine, is anxious and eager to get into this chamber and on to this floor to use his one hour to speak to Bill 194. You heard his comments on second reading and those of Mr. Prue, the member for Beaches-East York. Mr. Prue's comments warrant some special consideration, because the member for Beaches-East York, as many of us know, has a special professional background in the area of immigration and immigration law. I treat Mr. Prue, the member for Beaches-East York, and his comments with respect to Bill 194 with some considerable weight and value.

The crux is the cost. No school board denies access to a kid lightly, knowing full well that whatever things that kid's parent has done that brings that child into Canada, into Ontario, which are perhaps capable of being subject to judgment, are certainly not the error, the sin or the omission of the child.

Let's understand that this law is very clear and this amendment is very clear about the categories of persons whose children are entitled to education. They talk about people who are here on a work visa. That means a person who is legitimately in the country. One of the examples might be of people doing nanny or child care work, who have their own children. Clearly, we don't want to deny that child who should properly be in a classroom from being in a classroom.

In the course of examining the bill, we talked about a temporary resident permit issued under the Immigration and Refugee Protection Act. We talked about somebody claiming refugee protection. Again, it's the child who is suffering, should that child not be in a classroom where that child properly belongs.

I think Canadians and Ontarians believe that those children should be accorded that opportunity. That's a good thing; it's a reasonable thing. But it comes down to the cost, and there are parts of the province that are going to be harder impacted than others. Toronto is certainly going to be heavily impacted—down where I come from, in Niagara region, where we have huge new Canadian populations, people arriving there, and new Canadians with any number of designations, including the designations described in this bill, with children. The problem is that our school boards are already hard-pressed to fund quality education and are continuing to have to scrimp and save and do without essentials. They're going to be hard-pressed to absorb this cost.

New Democrats have been very clear: We support the legislation, but in conjunction with our support for this legislation we, like so many others in this chamber, call for the province to come up to the plate and fulfill its responsibility for funding. The province has clearly

downloaded this responsibility on to municipal boards of education. In conjunction with that, the province has to accept responsibility for the funding required.

I appreciate this opportunity at third reading. The bill has been debated at length at second reading. I appreciate this opportunity at third reading to indicate NDP support for this legislation, and I reiterate: New Democrats will be standing in this House, on behalf of their own constituencies or others, calling for adequate funding to flow as a result of this bill, but we insist that funding has to accompany this obligation being imposed on boards of education.

**The Deputy Speaker:** Questions and comments? Further debate? Is there anyone who wishes to speak further on this?

Mr. Kennedy has moved third reading of Bill 194, An Act to amend the Education Act. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

Pursuant to standing order 28(h), I have received a request that the vote on the motion by Mr. Kennedy on Bill 194 be deferred until deferred votes on May 19, 2005. It's signed by the chief government whip.

**Hon. Mr. Bartolucci:** I move adjournment of the House.

**The Deputy Speaker:** It's been moved that we have adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

This House is adjourned until 10 of the clock on Thursday, May 19.

*The House adjourned at 1928.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton East /	Horwath, Andrea (ND)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton-Est	
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N.</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie</b> (L) Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiques et de l'Immigration
Beaches-East York /	Prue, Michael (ND)		
Beaches-York-Est		Hamilton West /	Marsales, Judy (L)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton-Ouest	
Brampton Centre /	Jeffrey, Linda (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona</b> (L) Minister of the Environment / ministre de l'Environnement
Brampton-Centre			
Brampton West-Mississauga /	Dhillon, Vic (L)	Huron-Bruce	Mitchell, Carol (L)
Brampton-Ouest-Mississauga		Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brant	Levac, Dave (L)		
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston and the Islands /	<b>Gerretsen, Hon. / L'hon. John</b> (L) Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Burlington	Jackson, Cameron (PC)	Kingston et les îles	Milloy, John (L)
Cambridge	Martiniuk, Gerry (PC)		
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener Centre /	
Davenport	Ruprecht, Tony (L)	Kitchener-Centre	Witmer, Elizabeth (PC)
Don Valley East /	<b>Caplan, Hon. / L'hon. David</b> (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	Kitchener-Waterloo	Van Bommel, Maria (L)
Don Valley-Est	Wynne, Kathleen O. (L)	Lambton-Kent-Middlesex	Sterling, Norman W. (PC)
		Lanark-Carleton	Runciman, Robert W. (PC)
Don Valley West /		Leeds-Grenville	Matthews, Deborah (L)
Don Valley-Ouest		London North Centre /	
Dufferin-Peel-	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London-Centre-Nord	
Wellington-Grey	O'Toole, John (PC)	London West /	<b>Bentley, Hon. / L'hon. Christopher</b> (L) Minister of Labour / ministre du Travail
Durham	Colle, Mike (L)	London-Ouest	Ramal, Khalil (L)
Eglinton-Lawrence	<b>Peters, Hon. / L'hon. Steve</b> (L) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	London-Fanshawe	Wong, Tony C. (L)
Elgin-Middlesex-London	Hudak, Tim (PC)	Markham	<b>Takhar, Hon. / L'hon. Harinder S.</b> (L) Minister of Transportation / ministre des Transports
	<b>Crozier, Bruce</b> (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga Centre /	Fonseca, Peter (L)
	Cansfield, Donna H. (L)	Mississauga-Centre	
Erie-Lincoln		Mississauga East /	
Essex		Mississauga-Est	Peterson, Tim (L)
		Mississauga South /	
Etobicoke Centre /		Mississauga-Sud	
Etobicoke-Centre		Mississauga West /	Delaney, Bob (L)
Etobicoke North /	Qaadri, Shafiq (L)	Mississauga-Ouest	
Etobicoke-Nord		Nepean-Carleton	Baird, John R. (PC)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Niagara Centre /	Kormos, Peter (ND)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Niagara-Centre	
Guelph-Wellington	Sandals, Liz (L)	Niagara Falls	Craiton, Kim (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Nickel Belt	Martel, Shelley (ND)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Nipissing	Smith, Monique M. (L)
Halton	Chudleigh, Ted (PC)	Northumberland	Rinaldi, Lou (L)
		Oak Ridges	Klees, Frank (PC)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Oakville	Flynn, Kevin Daniel (L)	Stormont-Dundas- Charlottenburgh	Brownell, Jim (L)
Oshawa	Ouellette, Jerry J. (PC)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa Centre /	Patten, Richard (L)	Thornhill	Racco, Mario G. (L)
Ottawa-Centre	<b>McGuinty, Hon. / L'hon. Dalton (L)</b> Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Thunder Bay-Atikokan	Mauro, Bill (L)
Ottawa South /	<b>Watson, Hon. / L'hon. Jim (L)</b> Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Thunder Bay-Superior	Gravelle, Michael (L)
Ottawa-Sud	McNeely, Phil (L)	North / Thunder Bay-Superior- Nord	<b>Ramsay, Hon. / L'hon. David (L)</b> Minister of Natural Resources / ministre des Richesses naturelles
Ottawa West-Nepean /	<b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Timiskaming-Cochrane	Bisson, Gilles (ND)
Ottawa-Ouest-Nepean	Hardeman, Ernie (PC)	Timmins-James Bay / Timmins-Baie James	<b>Smitherman, Hon. / L'hon. George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa-Orléans	<b>Kennedy, Hon. / L'hon. Gerard (L)</b> Minister of Education / ministre de l'Éducation	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Churley, Marilyn (ND)
Ottawa-Vanier	Miller, Norm (PC)	Toronto-Danforth	Marchese, Rosario (ND)
Oxford	Wilkinson, John (L)	Trinity-Spadina	<b>Sorbara, Hon. / L'hon. Greg (L)</b> Minister of Finance / ministre des Finances
Parkdale-High Park	Leal, Jeff (L)	Vaughan-King-Aurora	<b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Parry Sound-Muskoka	Arthurs, Wayne (L)	Waterloo-Wellington	Flaherty, Jim (PC)
Perth-Middlesex	Parsons, Ernie (L)	Whitby-Ajax	Zimmer, David (L)
Peterborough	Yakabuski, John (PC)	Willowdale	<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Pickering-Ajax-Uxbridge	Di Cocco, Caroline (L)	Windsor West / Windsor-Ouest	<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Prince Edward-Hastings	Oraziotti, David (L)	Windsor-St. Clair	<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Renfrew-Nipissing-Pembroke	Duguid, Brad (L)	York Centre / York-Centre	Munro, Julia (PC)
Sarnia-Lambton	<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	York North / York-Nord	<b>Cordiano, Hon. / L'hon. Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Sault Ste. Marie	Berardinetti, Lorenzo (L)	York South-Weston / York-Sud-Weston	Sergio, Mario (L)
Scarborough Centre /	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York West / York-Ouest	
Scarborough-East /	<b>Curling, Hon. / L'hon. Alvin (L)</b> Speaker / Président		
Scarborough-Est	Dunlop, Garfield (PC)		
Scarborough Southwest /	Wilson, Jim (PC)		
Scarborough-Sud-Ouest	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
Scarborough-Agincourt	<b>Bryant, Hon. / L'hon. Michael (L)</b> Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Scarborough-Rouge River	Mossop, Jennifer F. (L)		
Simcoe North /			
Simcoe-Nord			
Simcoe-Grey			
St. Catharines			
St. Paul's			
Stoney Creek			

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉES PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: John O'Toole  
Wayne Arthurs, Caroline Di Cocco, Andrea Horwath,  
Cameron Jackson, Kuldip Kular, Phil McNeely  
John Milloy, John O'Toole, Jim Wilson  
Clerk / Greffier: Trevor Day

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Toby Barrett, Mike Colle, Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell, John O'Toole,  
Michael Prue, John Wilkinson  
Clerk / Greffier: Trevor Day

**General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Vic Dhillon  
Marilyn Churley, Vic Dhillon, Brad Duguid,  
Linda Jeffrey, Jean-Marc Lalonde,  
Deborah Matthews, Jerry J. Ouellette,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Tonia Grannum

**Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Présidente: Andrea Horwath  
Lorenzo Berardinetti, Michael Gravelle,  
Andrea Horwath, Tim Hudak,  
David Oraziotti, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona  
Clerk / Greffière: Susan Sourial

**Justice Policy / Justice**

Chair / Président: Shafiq Qadri  
Vice-Chair / Vice-Président: Bob Delaney  
Michael A. Brown, Jim Brownell, Bob Delaney,  
Kevin Daniel Flynn, Frank Klees, Peter Kormos,  
Shafiq Qadri, Mario G. Racco, Elizabeth Witmer  
Clerk / Greffier: Katch Koch

**Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Donna H. Cansfield, Bob Delaney,  
Ernie Hardeman, Rosario Marchese, Ted McMeekin,  
Norm Miller, Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffier: Douglas Arnott

**Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Laurel C. Broten, Jim Flaherty, Shelley Martel,  
Bill Mauro, Julia Munro, Richard Patten,  
Liz Sandals, Norman W. Sterling, David Zimmer  
Clerk / Greffière: Susan Sourial

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Marilyn Churley  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Marilyn Churley, Kim Craiton,  
Kuldip Kular, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Maria Van Bommel, Tony C. Wong  
Clerk / Greffière: Tonia Grannum

**Social Policy / Politique sociale**

Chair / Président: Mario G. Racco  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Arnott, Ted Chudleigh, Kim Craiton,  
Peter Fonseca, Jeff Leal, Rosario Marchese,  
Mario G. Racco, Khalil Ramal, Kathleen O. Wynne  
Clerk / Greffière: Anne Stokes

## CONTENTS

Wednesday 18 May 2005

### THIRD READINGS

#### Education Amendment Act, 2005,

Bill 194, *Mr. Kennedy*

Mr. Kennedy .....	7169
Mr. Barrett.....	7170, 7173
Mrs. Munro .....	7172
Mr. Yakabuski.....	7172
Mr. Colle .....	7172
Mr. Chudleigh .....	7173
Mr. Kormos.....	7173
Vote deferred.....	7174

## TABLE DES MATIÈRES

Mercredi 18 mai 2005

### TROISIÈME LECTURE

#### Loi de 2005 modifiant la Loi

sur l'éducation, projet de loi 194,

*M. Kennedy*

Vote différé .....	7174
--------------------	------





No. 149

N° 149

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament



## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

Thursday 19 May 2005

# Journal des débats (Hansard)

Jeudi 19 mai 2005

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 19 May 2005

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 19 mai 2005

*The House met at 1000.  
Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

### ENVIRONMENTAL PROTECTION AMENDMENT ACT (PRODUCT STEWARDSHIP), 2005 LOI DE 2005 MODIFIANT LA LOI SUR LA PROTECTION DE L'ENVIRONNEMENT (GÉRANCE DES PRODUITS)

Mr. Miller moved second reading of the following bill:

Bill 195, An Act to amend the Environmental Protection Act with respect to the stewardship of products and of the packages or containers used for products / *Projet de loi 195, Loi modifiant la Loi sur la protection de l'environnement en ce qui a trait à la gérance des produits et des emballages ou des contenants utilisés pour ceux-ci.*

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Mr. Miller, you have up to 10 minutes.

**Mr. Norm Miller (Parry Sound–Muskoka):** I had originally planned on a private member's bill that would enable a deposit-return system in Ontario to help the province to meet its waste diversion goal of 60% by 2008. In Ontario, we actually have a very successful deposit-return system at the brewers' retail, which actually has a recovery rate of 96% of beer bottles. I have previously introduced a private member's bill that would require the Liquor Control Board of Ontario to implement a deposit-return system, and I'm aware that other provinces, like BC, have deposit-return programs for liquor and wine bottles.

I decided to expand my private member's bill to introduce the concept of product stewardship after meeting a constituent of mine, Dr. Jim McTaggart-Cowan. He came to see me about another environmental issue, and we discussed my desire to see a deposit-return system in Ontario. Dr. McTaggart-Cowan is a scientist. He worked in government in Ottawa and for a number of years in British Columbia, and he was familiar with the product stewardship programs in British Columbia. He suggested

that I expand my private member's bill to include the concept of product stewardship, which could enable a deposit-return system but could do much more. I would sincerely like to thank Dr. McTaggart-Cowan for all the assistance he has given to me.

And while I'm thanking people, I would like to thank my intern, Nicola Hepburn, who is the lone spectator here this morning watching from up in the gallery. She was of great assistance to me.

So what is product stewardship? It's a management system based on industry and consumers taking full responsibility for the products they produce and use, from their inception through to their final reuse or recycle state. It's cradle-to-cradle management. The way it works is that government, on behalf of consumers, has three supportive roles.

First, it identifies which products it wants embraced, establishes targets for product capture and charges industry with the responsibility of forming a management board and preparing stewardship plans. Second, it assists industry by putting in place regulations to support the collective industry approach and ensures a level playing field for all corporations involved in the relevant sector. Third, it approves stewardship plans, monitors industry progress and ensures that plans are altered to achieve overall objectives.

Through this product stewardship approach, government moves away from funding, at taxpayers' expense, waste management. Instead, it holds industry responsible for the full life cycle of a product but leaves it to industry to find the most cost-effective and efficient way to achieve it, assisting where necessary and desired.

Let me illustrate how this bill could be applied to beverage containers. First, government designates beverage containers. Then government establishes a recovery rate of, say, 85% in three years. It charges industry with the responsibility of forming a management board, which prepares a stewardship plan. Government approves and monitors the stewardship plan, which, in this case, includes a deposit-return system. If industry doesn't meet the target of 85% recovery, it must make changes to the plan. In the case of a deposit-return system, the most likely thing you would do would be to increase the deposit.

Product stewardship works because industry comes up with the solutions. They know their business best, and they will come up with solutions that are both cost-effective and that get the job done. Deposit-return systems work because there is an incentive to return the product

for the deposit and those who end up paying for this system are the polluters: the 15% in the example I just gave who didn't return their containers.

Let me illustrate the benefits of the deposit-return system currently in use in British Columbia. An analysis of the cost and benefits of the beverage container recovery systems in Canada for the year 2000 completed by CM Consulting in 2002 made the following key findings.

In BC, the beverage industry incurred no cost related to the non-alcohol container recovery program in 2000. In 2000, Encorp Pacific Canada, the program steward, on behalf of the non-alcohol beverage industry, recorded a net surplus of \$5,087,318. Consumers contributed less than one cent per unit purchased to offset the costs of the deposit-return program for non-alcoholic beverage containers in BC. In 2000, wasting beverage consumers—that is, those who chose not to return the containers for the deposit—contributed 7.2 cents per unit purchased. As I say, that's a polluter penalty.

In comparing the relative environmental impact of a deposit-return program with an optimum curbside collection program—that is, the best curbside collection program—it was found that the current British Columbia deposit-return system had far superior environmental performance in all categories investigated, despite utilizing a best-recovery scenario for a curbside system. Specifically, an optimum curbside system would recover 40% less material than the current deposit-return system, or 8,500 short tons less material, in British Columbia. An optimum curbside system would divert 50% less material from landfill, occupying an additional 70,000 cubic yards of landfill space, than the current BC deposit-return system.

Compared to the present deposit-return system, the reduced recycling rates attributable to an optimum curbside program, and the lack of scavenging, would result in an estimated 46% increase in beverage container litter annually. That translates into an additional 2.6 million containers. And I would ask, have you gone for a walk in an Ontario ditch lately? Effectively, we have 50% more litter around the roads of Ontario than in BC.

1010

The present deposit-return system program is estimated to save 180,000 barrels of oil annually by replacing virgin material with recycled material as a feedstock. The decreased recovery rates attributable to substituting the present deposit-return system with an optimum curbside collection system would result in the usage of an additional 74,000 barrels of oil. If BC had the optimum curbside recovery collection system, Ontario's system, instead of the deposit-return system, they would release 12,000 more tonnes of carbon into the atmosphere.

In the year 2000, BC recovered 61% of glass bottles, compared to 45% in Ontario, 73% of PET, compared to 16% in Ontario—that's probably why we have so much plastic in our ditches—and 84% of aluminum cans, compared to 50% in Ontario.

A 1998 study undertaken by Angus Reid for McConnell Weaver, The Deposit Program in BC: Attitudes

and Behaviour, states, "There is a high level of support for the deposit program across the province of BC. Almost all (96%) of British Columbians think the deposit program is a good idea. The main reason for their support of the program is that the program gives people an incentive to recycle. The inconvenience of returning containers for the deposits appears to be only a minor concern."

Today, six of 10 provinces in Canada have full deposit-return programs for all beverages except milk: BC, Alberta, Saskatchewan, New Brunswick, Nova Scotia and Newfoundland.

Deposit-return systems work. This bill enables a deposit-return system and could be applied to any product.

Let's look at paint. In BC, where paint is a designated product, it has changed the way they sell paint. Here in Ontario, our system is biased toward larger containers. When you buy the four-litre container, it is cheaper than if you buy one litre, so we usually buy four litres. Who doesn't have a garage full of partly filled paint cans, and where does that paint end up? In BC, product stewardship has changed the way they sell paint. There are more water-based paints. In some cases, you can bring your own container and have it filled.

A 2003 BC government summary report looks at the paint stewardship program, which covers paint, solvents, flammable liquids, pesticides and gasoline. It is run by Product Care, a national, non-profit stewardship association made up of 100 brand owners. Product Care's membership includes manufacturers, distributors and retailers. In 2003—I'm going to summarize—they collected 5,683,000 equivalent litre containers of paint; they gave away 107,000 litres in a paint exchange program; flammable liquids collected were 121,000 litres; pesticides collected were 31,000 litres. The way they used that was that 4.6% of the paint was given back to consumers, 66% was recycled/reprocessed as paint used in concrete manufacture, 29% was used for energy recovery through fuel blending, 0.2% was incinerated and 0% was land-filled. The flammables were 100% fuel-blended for energy recovery. All the metal containers were recycled for scrap metal and all plastic containers were recycled. Funding for that particular program was through eco fees paid by member industry brand owners.

Three provinces in Canada have paint stewardship programs. They are BC, Nova Scotia and Quebec. I believe it is time we expanded our product stewardship programs in Ontario. I ask for all members' support for this private member's bill.

**The Deputy Speaker:** Further debate?

**Mr. Kim Craiton (Niagara Falls):** I'm pleased to have the opportunity to participate in private members' debate. Let me first congratulate Norm Miller, the member from Parry Sound-Muskoka, for introducing an excellent bill.

A couple of personal comments. I still remember when I was first elected to city council back in 1990. My first experience back then with waste management was



the three Rs: reduce, recycle and reuse. The general public back then had no conception of what the three Rs were all about and how important they would be for the future of waste management for Ontario and probably throughout the whole world.

We had in Niagara Falls a landfill of our own that we owned. It was on Mountain Road, and it had been a landfill that everything was put into; whether it be paint cans, tires, fridges, stoves, they were just put into the landfill because no one at that time really understood or realized the importance of waste management. Unfortunately, during my first three or four years on council, the landfill became full and we found out that we couldn't utilize it any more. Two things happened. One was, at the municipal level, the cost for waste management escalated because we had no tipping fees; it was our landfill. Secondly, and even more seriously, what happened was we found out that the landfill was having—I'm going to use the word "leakage." There were materials coming out from the landfill and actually getting into some of the residential areas. We had two things happen: We lost our landfill and our tipping fees, and we now had to pay for it because we had to move to another location, and we had products in our landfill causing problems with residents. The point I'm making is that had something like this particular bill been in place and had we the wisdom, we would have found out and realized how important our landfill was, the public would have understood the significance of recycling, and we may still have a landfill to this day.

The other thing I really recall is that my wife and I went to visit my daughter who lives in the Cayman Islands for the first time. She had been there for about seven months, and we arrived on a Monday. I think it was on a Wednesday or Thursday when my wife Helen said, "Gee, I should do her laundry. It's been sitting here," and I thought, "Oh, I'll wash down the car and I'll do some other things outside." Anyway, my daughter came home and the first thing she said was, "Where is the laundry?" My wife said, "Oh, we did it all." She said, "You don't understand how important it is that you learn to appreciate the things you have here because you live on an island." The first thing she started talking about was recycling and how, down there, many times when you go grocery shopping or you get products, you don't have all of these packages. They have a system in place down there where if you do get packages, they're returned to a specific location so they're properly recycled. It's the same thing with electricity. She educated us how down there they appreciate the importance of electricity, how to conserve it, when to use it and when not to use it, something that our government is now working on and is, through the Minister of Energy, taking forward to the public.

I still remember that there was all types of opposition to the three Rs. The public back then, when you suggested that they'd have to put things in a blue box that would have to sit out front and you'd have to organize your garbage, the reaction wasn't very positive. Today, I

know in my community, and I'm sure it's the same everywhere else, we don't just have a blue box; we now have a grey box and a box for composting meats and those types of materials. In my community, every other week different-coloured boxes go out. I'm just amazed now how well and, I guess, how educated the public has become in understanding the importance of this.

I think this bill is another step forward. We've done a lot as a government already, and this bill is just going to add on to it. So I just wanted to take a couple of minutes to congratulate the member for bringing it forward. The deposit-return system, as he said, exists already, for example, with the breweries, but this is another opportunity to enhance that in some of the other sectors like the tire industry and the packaging industry. This is a great opportunity, so my congratulations to him. I'm certainly going to be supporting this bill.

1020

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased to rise today to join in the debate regarding Bill 195, which my colleague from Parry Sound–Muskoka has brought forward, and to also thank Nicola, his intern, for all the hard work they do. I've certainly benefited from my intern, Bec, and I want to thank them for working with us.

The issues surrounding our society's creation of materials and what we do with these materials when we are finished using them has been a topic of discussion in the Legislature and by municipal governments across the province for many years. It creates heated debate in many communities; I know certainly in mine it's always a topic of discussion. I'm not sure when the first time "NIMBY" was used. I had to ask what a NIMBY was, but it was "not in my backyard" and, to hazard a guess, it had to do with landfill sites.

The concept of businesses accepting responsibility for the management of waste generated by their products is a hot issue, and my colleague has brought forward a progressive amendment and bill today. Packaging makes up about 25% of the weight of the residential waste stream. Packaging stewardship is a concept by which industry, governments and consumers assume greater responsibility for ensuring that the manufacture, use, reuse, recycling and disposal of packaging has a minimum impact on the environment.

Both the member from Parry Sound–Muskoka and I represent ridings that boast the most beautiful scenery in Ontario, and I think I can speak for both of us when I say that landfills are not as pretty to look at as lakes and trees. I know I have a controversial land site that's right beside the Scugog River in Lindsay. But landfills are part of our lives here in Ontario, despite the efforts at recycling that already occur throughout the province. We simply create too much waste. Packaging stewardship could help us reduce the amount of waste we create.

The city of Toronto is filling up landfills in another country and filling our air with exhaust fumes as it's hauled away by the truckload. I'm sure members representing areas to the west of Toronto have some of their

own thoughts about the trucks speeding down the highways, and many of us are concerned about what is going to happen if the border ever closes to the trash.

I think that's what my colleague is speaking about. We need to look ahead and plan ahead and be better stewards. We, as consumers and businesses or manufacturers, are filling up our landfills too quickly. Businesses, and consumers as well, need to be educated about the benefits of finding better ways to package their products, and even additional uses that products can be put to before they reach landfills. We, as government representatives, need to look long and hard at ways to reduce the environmental impact of disposing of waste and to monitor the impact of landfills that are already in place. I know from my own riding how much having a landfill nearby can affect residents, and I worry about the environmental impact of locating landfills too close to the natural features that we have.

One key waste diversion is product design. Designing a product with the intention of reusing or recycling its components will ensure that there are aftermarkets for the material at the end of the product's useful life. Today we have an aftermarket for aluminum, paper, glass, some types of plastics and I think some types of used tires, which are commonly found in many parts of Ontario. The blue box program has been tremendously important, and the producers of these products deserve praise for their willingness to respond to the call to become stewards. Between 1996 and 2003, blue box tonnage increased by 47%, outstripping population growth by 27%.

In the future, we need to develop aftermarkets for additional materials. The creation of these aftermarkets in turn will create an economic incentive to taking effective environmental action. Stewardship is a very important concept, not just in terms of packaging but in terms of our natural environment. All of you have heard me speak of the closure of the Frost Centre, and one of the most important things they did was teach the people about stewardship of the land and what they could do to become good stewards. We're hoping there will be a reopening of the Frost Centre.

In terms of protecting the natural environment, it was not really necessary to convince people why they needed to be concerned about stewardship; it was just important to show them how. We need to build that type of concern about stewardship within the business community.

Legislation on stewardship waste diversion must be based on sound principles that include: all users of the specific material type should be treated equally; the method of diverting waste from disposal should not be predicated on the type of product that is in the packaging; and if deposit return is used on beverage containers, everyone needs to recognize the detrimental effect this would have on our blue box systems.

Most people and businesses want to recycle, buy environmentally friendly products and reduce the amount of waste. Continuing promotion and education is important to help people recycle and to assist municipalities and industry to develop recycling and other waste diversions.

The previous government did a lot of work in promoting stewardship, and the Minister of the Environment during this time, Chris Stockwell, does deserve a lot of credit for his work. He brought forward the Waste Diversion Act and regulations requiring all companies that introduce packaging and printed paper into the Ontario consumer marketplace to share in the funding of 50% of Ontario's municipal blue box waste diversion programs. Those companies that are designated as stewards for blue box waste can discharge their legal obligations under the Waste Diversion Act through membership in Stewardship Ontario or seek approval from the WDO to implement the industry stewardship plan. Stewardship Ontario is playing a leading role in the blue box program, and I am pleased that this government has decided to continue on with the work begun by the previous government.

It concerns me that some people could use those deposit provisions of the bill to undermine the effectiveness of the current programs. The blue box program designates and defines as stewards brand owners and first importers in Ontario of products that result in blue box waste. That covers a lot of ground. Many products are successfully being diverted from our landfills now, and that is a good thing. For instance, most beverage containers are already being diverted, and that rate is increasing.

Not everything about recycling responsibilities that municipalities must undertake works equally well across the province, so I would hope that the current Minister of the Environment would review these regulations on an ongoing basis to ensure that they are functioning well. For instance, regulation 101/94 does not take into account the unique circumstances that exist in geographically large municipalities like the city of Kawartha Lakes. They recently wrote to the minister to express their concern with the part of the regulation that reads, "The leaf and yard waste system of a local municipality that has a population of at least 50,000 must include the collection or acceptance of leaf and yard waste in a manner that is reasonably convenient to the generators of leaf and yard waste in the municipality." The problem they have with this regulation is that it does not adequately recognize the problems faced by geographically large ridings with population densities.

I know that my other colleague would like to speak to this bill, so I want to stand in support of this bill. Hopefully, it goes to committee, and we can discuss it at a further time.

**Ms. Andrea Horwath (Hamilton East):** I was very pleased to receive the package from the member from Parry Sound-Muskoka regarding this private member's bill. I can tell you that it's a long time coming, and it's about time that the province of Ontario started doing some more proactive things around our waste production.

The city of Hamilton has gone through a very significant process over the last couple of years to try to reduce the amount of waste being produced in that community. I had the pleasure, while on city council, of heading up the solid waste management master plan steering committee,



at which time we worked very diligently with the community to come up with a waste reduction plan that would get us to a target of a 65% reduction in our waste by 2008. I know that the city is well on their way to achieving that goal, and it's because of the provision of opportunities for people to undertake more proactive initiatives around how they deal with their waste. So in the city of Hamilton that included—in fact, we just did a sod-turning, I guess maybe a month and a half ago—our new organics facility.

The city is expanding its waste collection into an organics waste collection as well. Although we have been for some time now collecting leaf and yard waste, this is an opportunity to expand. I think we have about 5,000—maybe a little more now—pilot households on a kitchen waste or a household waste, wet waste kind of collection. We'll be expanding that every year in the city of Hamilton until we reach the full opportunity for people to recycle their organic waste in their community. That's like kitchen scraps, yard waste and all of those kinds of things in one particular collection bin, which will be picked up by the city.

It has been an interesting process, because, at first, people tend to resist that kind of action. But what we have found and hopefully what this bill will do is, as people understand how important it is to divert waste from landfill, they begin to get onside, and that takes some—I don't want to use the word “education,” but it does take some information-sharing, some moving people along in terms of their understanding of the problems that the generation of waste brings to communities and ultimately the cost, because it is quite costly for municipalities to deal with the mounting problems of solid waste.

1030

I know it's a problem throughout. I mean it's a problem here in Toronto. Landfills are filling up extremely quickly. There's simply no room to put the garbage any more. Anyone who understands the current situation worldwide would say that it's kind of backward to dig big holes in the ground to put your garbage in. That's simply not the solution any longer. Even if that were something that was a viable thing to do or something that we still thought was the appropriate way to deal with solid waste, it takes about 15 to 20 years to successfully site a new landfill. That's a heck of a long time. The problem is, we need a way to deal with our waste right now, not 15 to 20 years from now.

That was one of the things that led my community—and I know many other communities are undergoing the same kinds of activities—to find other solutions to their recycling. Interestingly enough, one of the frustrations we had as we were moving down this particular path was a feeling that the municipality was ahead of the province in a lot of ways. Municipalities were not feeling that the provincial level of government was keeping up with the times, if you will, when it comes to waste management issues. It's extremely positive that this private member's bill is coming forward. I know it will move us a great deal along the way in our waste management challenges.

It's interesting that the member raised the province of British Columbia as an example of a province that's well ahead of the times. I had the opportunity, in my role as chair, to visit a couple of communities. I laughingly called them the “stinky tours,” because it's kind of stinky going through some of those landfill sites and organic facilities. It's not often a pleasant thing to do, but when you're looking to find what the newest and most cutting-edge technology is, if you're going to be investing tens of millions of dollars in new waste management systems, you'd better darned well make sure you're getting the best of the best.

I had the opportunity in that role to attend a couple of different communities. Edmonton was one that had some very interesting processes for dealing with waste. One we went to, though, that I thought was very much in line with this particular bill was HRM, Halifax regional municipality in Nova Scotia. It was very interesting because they were quite a large region. They had been through restructuring. When I was there, it was about nine years after restructuring. Hamilton was just going into restructuring, and so we had many conversations about their experiences. Nonetheless, they were very interesting communities insofar as the broad range of types of areas that were part of the regional municipality: lots of challenges around very rural areas, some suburban areas and more urban downtown types of areas.

It was very interesting to see how well all of the various community types embraced their waste management plan. They spent a great deal of time in that municipality, as they were putting this together, on communications, on how you change people's opinions or their perceptions of waste, their stewardship of it or their responsibility for it. They were one community that I was really pleased to see had a significant process, a significant package of opportunities for diversion, particularly the one the member is talking about this morning, and that is the expansion of deposit systems. If I recall correctly, they had deposit opportunities for pretty much every kind of vessel. I'm thinking even milk cartons, but I might be wrong about that. But I do recall going to some of their facilities and seeing just the sheer volume of material that was diverted from landfill and then recycled and reused. It was truly amazing, and that's got to be about four years ago now. To see that this is coming forward brings two things to mind: First, that it's fabulous that it is coming forward, and I hope it gets to committee and through third reading and is implemented in this province; but also that we are a little bit behind the times, and given the large province that we are, the large population base that we have, we really need to start taking this stuff seriously because it's a serious, serious concern.

One of the things we do in Hamilton as well that I would hope every community should be obligated to do is again around the stewardship issue. The member from Parry Sound–Muskoka was mentioning whether or not everyone in this chamber or people watching today have those old half-cans of paint. In Hamilton, we have a program through Hotz Environmental that receives half-

empty, or half-full—whichever, depending on your perspective—cans of paint and actually reprocesses the paint and sells it to countries that are in need of that kind of product but are not able to afford the fresh, brand-new stuff off the line. It's quite amazing to see that they take this mish-mash of all kinds of cans of paint, reprocess it and repackage it into the big, five-gallon drums and then have a huge market in south Asia particularly, where they send these big vats of paint and sell them. They are used in home construction and industrial-commercial construction. That's a really unique way of dealing with what is in effect a hazardous waste that is paint. It has a lot of nasty stuff in it from paint bottles or any kind of varnish or chemical product, and in fact even from organic waste. I was quite interested, in my growth period, in learning about solid waste in the stinky tours, and through that process, about the amount of even organic waste when it goes to the landfill and what that does to the leachate, the soup you end up with at the end of the day, after the process of degeneration is undertaken in the landfill site. You end up with a leachate, a by-product of this liquid that has a lot of nasty stuff in it, and the organic waste going into landfill causes the leachate to be even more toxic. So as you can imagine, there are massive collection systems required to get rid of this leachate, and that's one of the reasons the landfill is not the solution going forward in terms of our environmental stewardship issues.

I think there are a lot of opportunities for people to embrace this concept. What I really like about the bill is that it's a shared responsibility. So many times, people say, "Look at all of the packaging; there's so much packaging." You buy a small thing, a little product like Krazy Glue—that one drives me crazy—but it's in a tube, and then it's in a medicine bottle thing, and then it's got packaging all around it. It's very frustrating to see that all of these products have this packaging on them. Why? Because the producers of these products—actually the marketers; not even the producers—think that the more interesting, the more unique they can make these products visually, the greater the likelihood that we as consumers are going to purchase them. That becomes a bit of a chicken-and-egg problem and it becomes a behavioural issue for us as consumers.

I think we also have an obligation, as people who are collectively responsible for the waste we produce—and we pay for it one way or the other—to start sending the message to the marketers and producers of the products we consume that we don't appreciate all that extra packaging, that we don't need it. If there is a requirement for the packaging in order to maintain the integrity of the product, for example, then that's one thing and that's understandable. But so many times you have to go through layers of different pieces to get to the product that you have purchased. I recently got my son some headphones for his Walkman, and I won't say what company they were made by, but I was shocked at the amount of effort it took just to get the darned headphones out of the package. When I thought about it, they could

just be hooked up on a peg where you buy them. They don't need to be in piles and piles of plastic, cardboard and everything else you can think of.

1040

The other challenge is—and I learned this through the process in Hamilton—that there are parts of the packaging we now consume that you can't actually recycle. We think we can throw everything in that's paper now. The types of paper you can recycle have been quite well expanded. It used to be that you couldn't recycle envelopes with the plastic windows on them; you can do that now. It used to be that you couldn't recycle cardboard in the same bins. Well, you can do that now. The idea is to make it easier for people to do that.

However, a lot of times you get packaging—I think about my toothpaste brand particularly. It's in a cardboard box, which normally you would throw in the recycle bin, of course. But it's interesting to see that on that box there is that shiny metallic lettering. That's not good. That stuff has to be pulled out when it gets to the line in a cardboard recycling facility. I don't know if people know that, but that's something that shouldn't really be recycled because the metallic paint or whatever it is that's being used on that product is problematic in the paper recycling process. So, again, if we can get those marketers and producers of products to start taking those shiny things out—guess what? It's shiny, it attracts us, it's marketing, that's what it is there for, but on the other end it reduces that product's feasibility in terms of recycling.

There's another issue I wanted to touch on in terms of recycling and product stewardship, and that is around how we convince those who are not quite along this road yet. It becomes an economic argument, plain and simple. It becomes an argument that says, "As a society, we can't afford to continue to generate this waste because—guess what?—we don't have ways to get rid of it." Even for the most stalwart person who just doesn't want to recycle, I think there are ways to appeal to their economic sense in regard to this problem and perhaps bring them along the road.

I commend the member for bringing the bill forward. I look forward to its getting to committee and I was very pleased to have an opportunity to speak to it.

**Mr. Khalil Ramal (London-Fanshawe):** I'm honoured and privileged to get a chance to speak about Bill 195, An Act to amend the Environmental Protection Act with respect to the stewardship of products and of the packages or containers used for products, introduced by Norman Miller, MPP for Parry Sound—Muskoka. I think it's a very important issue to speak about.

I come from the business community. I had a business for a length of time and I know exactly what the member is trying to do to encourage many people in this province to divert waste and protect our environment, protect our landfill, because it's become a very big problem concerning all the people in this province. As you know, especially in Toronto, we don't have places to put our garbage—we ship it to the United States—and many



different cities across the province are facing the same problem. So I think it's very important to educate the people in this province and create some kind of awareness about the problem we're facing.

I want to just mention—not to discredit the member—our government's initiatives. For the last two years we have done a lot of things to protect the environment—more than any other government in the last 15 years. Also, since taking office, we've promoted and approved the blue box program, making industry responsible for covering at least half the cost of operating the municipal blue box programs. As a government, we are pushing very hard to protect our environment for future generations.

As I mentioned, I used to be in business. I operated a distribution company. We used to service many different companies, especially Beckers Milk. If you returned a milk container to them, you got a refund of 25 cents. Let me tell you, I think it's very important to have a levy or a deposit, and when you return the product, you get your money back. But let me tell you, it's a very difficult concept, because it would cost business a lot of money. Also, it's not feasible.

I believe the blue box is a very good initiative and will help all the people—every individual, every household—across the province to participate in this program and make them responsible to help their community, their city, their government and their society protect the environment. So that's why, for instance, we have a blue box program, and every week, when I walk or drive around the streets, in many different neighbourhoods in London, the people always have blue boxes in front of their houses. They segregate the cardboard and the paper, and there's also the other blue box for containers, for glass, for plastic. I think it's a very important initiative. All the people in the city of London, all the people in many different cities across the province, are participating in protecting the environment and helping their societies to divert some kinds of garbage to eliminate the problem that we might face in the future.

Besides those initiatives, many different companies—I will mention one of those important companies in London, Ontario, Try Recycling—help to recycle many different products: concrete, plastic, roof materials, wood and drywall. They'll recycle it and use it again many different times, in different companies and in different industries.

In principle, I think the member brings forward a very important issue, a very important topic. We should all support it. I hope, like myself, everyone in this House will stand up and support my colleague for his initiative, for his important bill, which I think will create good awareness for all of the people in this province.

**Mr. Ted Arnott (Waterloo-Wellington):** I'm very pleased to have an opportunity this morning to speak to Bill 195, An Act to amend the Environmental Protection Act with respect to the stewardship of products and of the packages or containers used for products. This bill, of course, has been brought forward by the member for

Parry Sound-Muskoka. He introduced it in the Legislature actually fairly recently, in the last three weeks or so, on May 4, 2005. It is a private member's bill that I would expect will enjoy the support of most, if not all, of the members of the House in principle. There have been a number of interesting speeches made this morning so far to discuss this issue, and I would think that, in all likelihood, the government will want to ensure that they're seen to be supportive in principle of this legislation and will want to ensure that the bill goes to committee for further discussion. I would think that the member for Parry Sound-Muskoka would welcome that. I didn't hear all of his speech at the outset because I had another meeting in the building, but certainly I've had a chance to discuss this issue with him at some length this morning. I want to commend him for bringing this issue forward in the Legislature.

This is the kind of bill that should be discussed on Thursday mornings during private members' public business. I have brought forward a number of private member's bills on my own over the years, and I've always found that this is a very useful vehicle for raising an idea, bringing forward an initiative that otherwise perhaps wouldn't be discussed in the Legislature in a timely way: You put your name on a bill, set down a marker and say, "This is my position, and this is something that I think needs to be done." I believe that the government should be prepared to take a good, hard look at these bills that come forward on Thursday mornings.

In fact, I have a bill before the House right now, Bill 77, that is now redundant, because the government in its budget last week adopted my idea. It wasn't in the budget speech, but it was in the budget papers. Actually, the member for Kitchener Centre made reference to it in the House on Tuesday. Unfortunately, he forgot to give me some acknowledgement that it was my idea, but that's to be expected, I suppose. The idea was to give a retail sales tax exemption for people who have to buy booster seats for their larger children, given the fact that the government has brought forward safety legislation which will compel parents to have their kids in booster seats much longer than we've traditionally done, I suppose, in Ontario, until the child is up to eight years old or 80 pounds. This was something that was in the budget, and I was obviously very pleased to see that. I'm glad that the Minister of Finance listened to the suggestion that was brought forward as a private member's bill. But I've digressed to some degree talking about my own initiative, and I certainly apologize for that.

**1050**

The member for Parry Sound-Muskoka has done an extraordinary job since his election to the Legislature in 2001. He came in on a by-election, and he's been a great addition to the caucus. Mr. Speaker, as you know, there is a great deal of public cynicism these days about politics and politicians in general. It's reaching a crescendo out there this week with what's happened in the House of Commons. Norm Miller is one of the good guys around here, and we're very, very pleased to have him representing the people of Parry Sound-Muskoka.

Bill 195 is intended to introduce the concept of product stewardship, which is a management system based on industry taking on the full responsibility for the products that they produce or sell, from their inception through to their final disposition state. It is referred to as cradle-to-cradle management.

Bill 195 will help to reduce the generation of the amount of solid waste materials produced in Ontario, which, in turn, will help in reducing the amount of product containers, packaging materials and other non-biodegradable waste going to the landfill sites. Bill 195 will help the government meet its ambitious waste diversion goal of 60% by the end of 2008.

You look at this initiative by the member from Parry Sound—Muskoka, and he's trying to help the government. In opposition, he's trying to bring forward a constructive idea to assist the government. If the government is able to achieve its waste diversion target by 2008, you can expect to hear about it during the 2007 election campaign; they'll be boasting about it. But what we're trying to do with this bill, and what the member is trying to do, is give you assistance in that regard.

This was—well, it continues to be—a huge issue. Waste management will be an issue forever in this province. It is an important responsibility of the provincial government. I think back to when I was first running for office in 1990. I remember the issue of the environment coming up repeatedly, and one of the things that I had said during an all-candidates meeting was that we need to encourage industry to take greater responsibility for the packaging they produce. Consumers need to be part of that. In terms of the purchases they make, consumers need to try to influence industry to take more responsibility.

Fifteen years later, here we are, still talking about it, and I would suggest that we need to give serious consideration to adopting the member's bill, building on the work of the previous government through the establishment of Waste Diversion Ontario, which I had an opportunity to participate in as PA to the Minister of the Environment.

Once again, I want to commend the member for his initiative, thank him very much, and I would encourage all members of the House to support it. I would hope that the bill will be sent to committee for further discussion.

**Mr. John Wilkinson (Perth—Middlesex):** From a former parliamentary assistant to the Minister of the Environment to the current parliamentary assistant to the Minister of the Environment. I rise today to support our colleague Mr. Miller, the member for Parry Sound—Muskoka, and his private member's bill, Bill 195.

I just want to make sure that we're clear on the record that we believe that the principle of this bill is very good. Product packaging, as the member from Hamilton East and other members said, is an impediment to our goal of 60% waste diversion. I think that the debate we're having today is yet another opportunity for all of us to bring focus to this very issue.

Municipalities have asked the province for a complete set of tools to divert more waste from landfills, because,

as you know, Mr. Speaker, waste diversion is a municipal issue that has a provincial context. The development of our waste diversion strategy does not preclude the possibility of proposing new rules for product packaging, as envisioned by the member from Parry Sound—Muskoka.

Last summer, our ministry posted a discussion paper on the environmental registry, which is on our Web site, so that all matters environmental are actually posted in this province. I think it's a very wise idea, because it allows the government to share information with the public before things become law, whether in this place or through regulation. That was posted to attract ideas to help achieve our government's stated commitment to divert at least 60% percent of waste from landfills by the end of 2008. I know that my colleague from Niagara was talking about the need to become less and less reliant on landfills and the problems we have with them.

The discussion paper included a section that was entitled—I just want to share this with you—Reducing Packaging and Increasing the Recycled Content in Products and Packaging. So our government is aware of that.

Ideas were also gathered in six public forums held in communities across Ontario last summer. Ideas were contributed by scores of citizen, municipalities, industries, environmental groups and academics. I would, on behalf of the government, and I think all of us here in the Legislature, want to thank all of those good people who actually participated in that very public process. Those ideas are now informing the development of our government's comprehensive strategy to help municipalities divert more waste from landfills.

It's worth noting that the province already has powers through the Environmental Protection Act and the Waste Diversion Act to impose product packaging rules like those proposed by my friend Mr. Miller. Debate about this bill will help to inform the development of our government's comprehensive waste diversion strategy. Even though this bill, in one sense, could be considered redundant, my government colleagues and I appreciate the effort put into this bill by the member from Parry Sound—Muskoka and his helping us bring further attention of the public at large to this important issue.

I would say in all honesty that our government has done more for waste diversion planning in our first 19 months as a government than previous governments had done in the last 15 years. Upon taking office, we promptly approved the blue box program plan, making industry responsible for covering at least half the cost to operate municipal blue box programs. This gave municipalities the funds they needed to expand their waste diversion efforts.

It's not enough just to talk about waste diversion. We can all get up here and talk about how blue boxes are great—my home community of Stratford is one of the leaders of the blue box program across this province—but there are costs associated. We needed to come up with a plan to make sure that there was an equitable distribution of costs and that we'd be in a position to expand the blue box plan so that we could get to the very



important goal of 60% waste diversion. That means that more than \$64 million will flow to our municipalities this year. The previous government, for whatever reason, had refused to approve the blue box program plan, leaving many municipalities unable to expand their waste diversion efforts. So on one hand, they were being told, "You've got to do something about landfills," but on the other hand, they were not being given the financial resources to make that happen.

As a complement, because this is a complicated issue—landfills, waste diversion, recycling—our government has also appointed an expert panel that will recommend ways to improve the environmental assessment process. I might add, and I agree with the member from London—Fanshawe, that we share a wonderful recycling facility called Try Recycling. He was speaking about that in his comments. My minister, Leona Dombrowsky, and I have visited it, and he's absolutely right. It's amazing what they're doing in that facility about recycling, particularly of industrial-commercial and institutional waste. Under the previous government, the EA process frustrated the abilities of municipalities to site waste diversion facilities, which is why we have the expert panel to move that along. Through several complementary initiatives, our government is demonstrating the strength of its commitment to help municipalities find better waste diversion solutions.

I did want to speak briefly about the blue box program. I want to give a great deal of credit. My ability to understand this issue goes to a chap named Mike Jorna, who was the deputy mayor of Stratford for many years. It was Michael, who was the environmental studies teacher at Central High School in Stratford and serving his community as a Stratford city councillor, who moved the blue box program forward—I might add, at some political price to him, because the other thing that he was great for was the institution of bag tags in Stratford. People were very unhappy with that about garbage, but our reliance on the landfill went down substantially when people saw that they could either pay to have their garbage disposed of by the community or recycle for free. When that was instituted, our waste went down and our recycling skyrocketed.

You should know that 98% of households are served by the blue box program. There's an interesting thing I've learned, as the PA at MOE, about aluminum cans: The amount of energy required to make an aluminum can is substantial, but it is infinitely recyclable. That's why we have to urge people, particularly the children in the gallery today, to recycle. I say to the young members in the gallery, we don't inherit our natural environment from our grandparents; we're just borrowing it from our grandchildren. I support the bill today in that tone.

1100

**The Deputy Speaker:** Mr. Miller, have you two minutes to respond.

**Mr. Miller:** I would like at this point to thank Michael Wood, the legislative counsel who drafted the bill and spent a lot of time on seven drafts coming forward with

the bill. So thank you, Michael, and also the members who commented today: the member from Niagara Falls, who stated that this bill is a "step forward"; the member from Haliburton—Victoria—Brock, who stated that we create too much waste and we have to change the way we design products; the member from Hamilton East, who stated that landfills are not the solution and that we have too much packaging; the member from London—Fanshawe, who supports the bill but also pointed out that the blue box system does work here in Ontario as well; the member from Waterloo—Wellington, who stated that we need to encourage industry to take more responsibility; and the member from Perth—Middlesex, the PA to the Minister of the Environment, who supports the bill in principle.

This is an issue that is very current. I look at yesterday's clippings and I see in the North Bay Nugget, "Climate, Garbage Threaten Province." The Environmental Commissioner "said municipalities must take a more active interest in recycling and other ways to reduce energy demands.... He said the public and the government have to show more" than "concern over what is happening to the environment."

You flip it over, and there's a story, "Democrats Dump on Trash Imports," in the Windsor Star. They've hauled out the Trash-O-Meter and stated that "2,180,411 tons of garbage" have been trucked into Michigan, and they're not happy about it.

If you look at yesterday, there was an Ipsos-Reid poll done on waste management problems in Ontario that shows that three quarters of Ontarians believe the province is facing a garbage crisis. Two thirds of Ontarians indicate that the province needs to seek new and expanded facilities and increase recycling and diversion efforts.

The Ontario Waste Management Association study indicates that the business sector generates nearly two thirds of the waste produced in Ontario. Product stewardship can help the province meet its goal of diverting 60% of waste from landfills.

I hope all members will support this bill.

## PAYDAY LOANS ACT, 2005

### LOI DE 2005 SUR LES PRÊTS SUR SALAIRE

Mr. Kormos moved second reading of the following bill:

Bill 193, An Act respecting payday loans / Projet de loi 193, Loi traitant des prêts sur salaire.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Mr. Kormos, you have up to 10 minutes. The floor is yours.

**Mr. Peter Kormos (Niagara Centre):** Thank you, Speaker.

Last March in Ottawa, a judge ruled that two companies were trying to exploit the vulnerable by charging criminal rates of interest. Deputy Judge George House

described one company, Affordable Payday Loans, as having “engaged in an organized, consistent and concerted pattern of conduct designed to exploit the vulnerable.” He described the interest rate of another firm, Stop ‘N’ Cash 1450, as “unconscionably usurious.” The judge said that the victims of these companies did not have to pay the exorbitant fees that were charged to them, but these 34 plaintiffs were merely a handful of the thousands of Ontarians who have been victimized by payday lenders.

I submit to this chamber that it’s time for this Parliament to pay attention to the industry’s well-documented abuses and to take action to protect ordinary Ontario families. It’s not enough to wait for the courts or other levels of government to take the lead. Five provinces presently have some form of regulation, licensing or registration required for payday lenders: New Brunswick, Newfoundland, Nova Scotia, Quebec and Saskatchewan. Last month, Manitoba announced their plan to crack down on the payday lending industry. Manitoba’s legislation is going to license the industry, force them to include all service fees when advertising interest rates, ban rollover loans and ban companies from confiscating the paycheques of people who stop making payments. Payday lenders are also regulated in South Africa, Australia, the United Kingdom and most of the United States. Ontario cannot sit and wait for somebody else to address this problem.

Over four months ago, I was proud to be amongst those supporting the resolution brought forward by Ms. Deb Matthews, the member for London North Centre, when she presented her resolution calling for all of us to move to ensure that consumers are protected from excessive charges and hidden costs in the payday loan industry. This bill today flows as much from her work in that regard as it does from the others and groups that I’ll refer to in the course of this 10 minutes.

So we’ve all committed ourselves to take action to restrain an industry that habitually breaks the law and engages in nothing more than loansharking, to an extent that Tony Soprano would be embarrassed. Well, think about it. We’ll get to some of the numbers; they’re pretty dramatic figures. The mob doesn’t extort money as thoroughly and in as huge numbers as some of these bad payday loan operators do. With this in mind, the New Democrats have sat down with consumer groups and payday lending victims, and of course with the assistance of legislative counsel, to develop the bill that’s presented here today for second reading. Consumer and public interest groups have joined payday lending victims in calling for this sort of legislation for some time now.

Sue Lott of the Public Interest Advocacy Centre is the author of reports such as *Fringe Lending* and *“Alternative” Banking: The Consumer Experience*. She says, “Bill 193 would be an important step by this province to regulate the payday lending sector. We urge MPPs to move this bill forward and bring it into law.” John Young is the author of ACORN Canada’s special report, *Protecting Canadians’ Interest: Reining In the Payday Lend-*

*ing Industry*, and he says, “The Ontario government must act in order to protect Canadians from what is now an unaccountable and unethical industry. If passed, Bill 193 will do exactly that.”

The bill includes setting payday lending interest rate caps, and that’s incredibly important. Currently, payday lenders regularly charge annual interest as high as 1,000%—that’s one and three zeroes.

Many here will know of the excellent series of articles in the *Toronto Star* by Nicole MacIntyre and Jim Rankin. They exposed in great detail how these payday lenders do precisely this. The *Star* article details how a loan of \$100 for three days at a Toronto-based Payroll Loans cost a borrower \$25.48. That’s over 25% interest over the course of but three days. Using the legal accounting standards, that works out to an annual interest rate of over 3,000%. A loan of \$120 from Stop ‘N’ Cash cost the borrower \$41, or an annual interest rate of 1,782%. Jane Spooner, an ACORN member who was charged an annual interest rate of 410% on a loan of \$100, borrowed that money from a Money Mart in Weston, Ontario. A 410% interest rate on a loan of \$100.

The Criminal Code of Canada makes it quite clear that annual interest rates of over 60% are illegal, but as Manitoba Finance Minister Gregory Selinger recently noted, the federal rate is not enforced at all. We have serious concerns about this. It is a very labour-intensive thing for the police to be using the Criminal Code to investigate these payday lenders and charging them under the appropriate sections of the Criminal Code. We wish it were done, but we understand the scarce resources with respect to policing and we say that this bill is the approach that’s going to enable this province to protect these borrowers from these predators, the payday lenders, in an effective way, without the utilization of scarce police resources.

By bringing in the strict regulatory regime that’s in Bill 193, we will be enforcing the Criminal Code and its prohibition on excessive interest rates and we’ll be protecting the public from this loansharking. Bill 193 also includes a ban on payday lending’s most insidious loans; these are the rollover, extension and back-to-back loans. These are the practices that create inescapable debt cycles. Some of you may remember when Rob Ferguson was here, a legally blind Brampton man who receives ODSP. His cycle of payday loans began over a year ago when he borrowed \$200 to pay back an outstanding hydro bill. He was supposed to have paid back \$325 on that short-term \$200 loan, but couldn’t meet the payments so he rolled over the loan into a subsequent one, extending the repayment period at an exorbitant new cost. He then re-borrowed money again and again, rolling it over and over until that \$200 turned into \$1,600 in debt.

**1110**

Sherry, another member of ACORN, got trapped in a similar debt trap. A little over a year ago, she took out a payday loan from a Money Mart in Brampton. Her loan came due on a Thursday but her payday, when she got paid, was on a Friday. Unable to cover the cost of late



fees because she was a day late, she took out another loan. There you are again, another loan and another loan and another loan. She, like Rob Ferguson, was trapped in the payday lender's debt cycle. Oh, they love it. The payday lenders love it when you don't pay your loan on time.

Bill 193 will impose a cooling-off period between loans to prevent lenders from taking advantage of clients in this way. These measures will be enforced through the establishment of a tough payday lending registrar who will oversee the industry, enforce rate caps and levy fines. All payday lenders will have to be registered. The registrar will be responsible for enforcing the act, reporting on the industry to the government and educating the public. The registrar will ensure that payday lenders play by the rules laid out in the act, and violations of this act can yield fines of up to \$250,000 or two years in jail.

The measures in Bill 193, I submit to you, will stop the predatory practices that have victimized so many Ontarians. These are lower-income Ontarians. These are incredibly vulnerable Ontarians. These are Ontarians who are supporting themselves on social assistance, or are trying to support themselves, scraping by on ODSP payments.

I want to thank ACORN and its members. Some of them are here today in a gesture of support for the bill. They've been critical in helping us put this bill together and their expertise is extremely valuable. I want to thank David Halporn, our legislative counsel, who of course drafted it. None of us sits down at the computer and writes these bills ourselves. We'd be foolish if we tried. Legislative counsel David Halporn was extremely useful to us in this exercise and we appreciate it. Elliot Anderson from NDP research, who quite frankly did most of the heavy lifting around this bill—again, I appreciate his work.

The act is a small and simple step that this Parliament could take immediately to show that we're serious about cracking down on today's loan sharks. We've got to keep working with other levels of government, the federal government and provincial governments across Canada, as well as alternative financial institutions and credit unions, to see that the banking and financing needs of working communities are met. In the interim, I look forward and wish and hope that this Parliament will send this bill to the appropriate committee.

**The Deputy Speaker:** Further debate?

**Mr. Ted Chudleigh (Halton):** This is an interesting bill that the member for Niagara Centre has brought forward. It deals a lot with integrity and honesty of financial dealings, and I'm very supportive of what this bill intends to do.

But I find it somewhat amusing when I look at this one-pager that came around explaining how the NDP bill will put a ban on legalized loansharking. I see up in the corner a picture of a chap and the name underneath it purports this person to be Peter Kormos. Now this person has, first of all, a full head of hair. Secondly, his full head of hair is very dark in colour and his face is definitely

oval shaped, not round. It doesn't have nearly the cheeks or jowls—

**Mr. Kormos:** This is ad hominem stuff. This is cruel.

**Mr. Chudleigh:** Peter, if you're talking about integrity and honesty in loansharking, I would suggest that you could look a little closer to home at some point early on and change this picture. This is a picture of a guy—you know, he's a pretty good-looking guy. He could be in Hollywood. A person might vote for this guy.

**Mr. Kormos:** Why do you think I'm using the picture?

**Mr. Chudleigh:** I suspect. However, I do point that out.

This bill is a good one. One of the problems I have with this bill, and it's not a serious one—it's an amendment—is you can't paint everyone in this province with one brush. It's a very diverse province and every business within it has very diverse people. I'm sure all the examples that the member from Niagara Centre used were very accurate, but I suspect there are also agents, same-day loan people, payday loan areas, who are very reputable and conduct their business at a very high level. In my experience, I have always found painting the entire province with one brush to be difficult and quite often inaccurate.

Payday loans are also something that very few of us have ever had any experience in, and very few of our friends would have ever had any experience in this. But, as the member points out, this is a very real problem for some sectors of our society. We should pay attention, as members in this House, to the needs of all of the people in Ontario and, in particular, those people who perhaps are less able to help themselves when they fall outside the constraints that we so often set.

As I pointed out, there are probably some same-day loan outfits that operate very regularly, but there are unfortunately always, in these industries that are unregulated, a few bad apples that spoil the barrel. Excuse me if I use that term. Of course, the bad apples spoil the barrel. Many years ago, we always packed our apples in barrels. You would get a couple of hundred apples in a barrel, and if you had two bad ones in there, by the time they got shipped to wherever they were going, quite often you had a barrel full of mush. So it's important that we clean the business up to make sure that those who are reputable in the business can survive. Yes, regulation in this area is sadly lacking. I would suggest that the Financial Services Commission of Ontario would be the organization under which umbrella this legislation should come.

These regulations should also allow—and perhaps this can be done through an amendment, I say to the member for Niagara Centre—that when someone has a cheque that is drawn on a bank, and that person has reasonable identification, that bank should be committed to cashing that cheque, even though that person who is submitting the cheque does not have an account with that bank or, perhaps, with any other bank.

It's always been a problem with me that if you're dealing with ABC bank, and ABC's customer writes a

cheque to a person who has done some service for them, and that person takes that cheque over to ABC branch and wants to cash it, with proper identification, that bank will not cash that cheque unless that person has an account somewhere. Many of these people will not have bank accounts. That cheque that has been issued on that bank is like a piece of money, and in order to get hold of that money, the duty of that bank is to convert that piece of paper into cash. When that doesn't happen, then that begins to drive that person into the arms of the payday loan company, and therein lies part of the problem: How do I cash this cheque when I'm outside the normal financial channels? In my mind, that is wrong and it is something that should be corrected.

I think FSCO could set terms and conditions, within Ontario at least, with the trust companies and other financial institutions—perhaps not the banks, but trust companies—whereby those cheques could be cashed.

1120

The other problem with the payday loan area being unregulated has been pointed out most clearly by Mr. Kormos from Niagara Centre, and that, of course, makes the bill a necessary one and one that would improve the lot of many Ontario residents, particularly those who are trying to get themselves established, to get themselves on their feet financially, as it were. Because they have had a problem—perhaps they don't have a bank account; perhaps they are trying to get themselves out of a loan spiral—those are the people who are most vulnerable in our society, and those are the people whom we in this House should be very concerned about.

I will be supporting this legislation. I would like to see a few amendments to it. I think it could become a stronger piece of legislation. I would like to see it be as fair a piece of legislation as it could possibly be to all involved, including reputable loan dealers.

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** We come together in this place each day and begin the session by praying that we may govern wisely and well and seeking a country where freedom prevails and justice rules. I think on a good day that is where we're all coming from. In that sense, I want to say that there's a difference between praying for people and preying on people.

I want to commend the work of my honourable colleague Deb Matthews, and also the member from Niagara Centre, who brought forward this bill, although I do need to note that it's ironic—I think if you look up the word "ironic" in the dictionary, it would read "Peter Kormos" as the definition.

The simple truth of the matter is that the McGuinty government, since coming to office, has been working hard to address the issue of payday loans through Bill 70, and we've done what we can to protect consumers within our provincial jurisdiction. We've also been lobbying the federal government to make the required changes to the Criminal Code, because the jurisdiction for interest rate issues is in fact at the federal level. We've been pushing the feds to do that so we can consider regulating the in-

dustry in an effective and meaningful way. The provinces that were mentioned that have moved to licensing in the payday loan sector have each acknowledged that they are having great difficulty with respect to section 347 of the Criminal Code. In fact, the licensing provisions are, for all intents and purposes, ineffective in that regard.

Instead of working together on many fronts, we've seen some filibustering around Bill 70, which is interesting because it in fact moves to ensure that consumers are protected and that the costs of loans are spelled out. But over and above that, let's be honest, it is in fact the feds who have jurisdiction under the Criminal Code. I've already mentioned that those provinces that license acknowledge the significant problems.

Importantly, not that long ago, our Minister of Consumer and Business Services, the Honourable James Watson, wrote to federal Justice Minister Cotler on the issue, and as a result of that, there was a special federal-provincial-territorial group that came together called the consumer measures committee. That task group has been working diligently, through a subgroup called the alternative consumer credit market group, to frame a joint response to high interest rates and the alleged unfair trading practices of certain companies. It should be pointed out that some lenders are quite reputable and are as concerned about rollover loans and what have you as the member from Niagara Centre and some others who are here. So that group has been working to develop a consumer protection framework that will be the locus and subject of their upcoming June meeting—it's June 2005—to look at what legislative framework might be put in place to provide the very kind of protection that the member from Niagara Centre and my colleague Deb Matthews would like to see in place.

I want to provide assurance to this House that when the federal government moves, and we have every reason to believe, based on the working group that has been set up, that they will in fact be moving to make changes to the Criminal Code and bring in better enforcement provisions, we will move to regulate the industry through legislation. We share the concern about rate caps, the need for regulations and rollover difficulties. Personally, I would simply ban back-to-back loans. I think that ought to be in place. We intend to move with our federal, territorial and other provincial partners on this front.

**Ms. Andrea Horwath (Hamilton East):** It's my pleasure to rise to speak to Bill 193. I want to start off by talking about who the victims of this nasty regime are right now. The victims of this nasty regime are, generally speaking, low-income people who are perhaps working at minimum wage jobs, and in some cases working at two or three part-time minimum wage jobs just to make ends meet, because our economy unfortunately doesn't provide a good quality of life for all our residents and all the people who need to make a living to support their families. In some cases, it's people who are relying on social assistance, the Ontario disability support plan and other kinds of income supports: pensioners, senior citizens, people who are not in a position to have decent



wages and decent amounts of regular income they can rely on.

Why do people in this income bracket or in these positions tend to have to turn to a payday loan operator? Mostly because they live very precariously, from payday to payday, from pay to pay, and something comes up, something unexpected, something for which they weren't able to acorn away any money in case of an emergency. They're living from pay to pay so they don't have the little nest egg set aside in case some major trouble arises or some unexpected expense creeps up. When I say unexpected expense, I'm not talking about something that any one of us would think is a major, huge expense: an unexpected car repair of maybe \$500, \$600, \$700. Where's that money going to come from if you don't have a bank account with savings in it? A leaky roof, a broken washing machine—there are all kinds of things that come up that people are not expecting, that people are not ready for, that are not factored into the weekly expenses that go out the door just for regular daily life.

When those kinds of things creep up, when those kinds of issues arise, unfortunately—I think it was mentioned already—many of these residents in our communities from all across Ontario don't have accounts at the regular banks, and if they do, the regular banks are not prepared to provide small loans to people. Oftentimes, the people in question won't have a good credit rating; they might not have a rating, period. They might be new to the community; they might be newcomers. They might be people who don't have English as their first language, who are recent immigrants to our communities, who don't have a good grasp of the kinds of opportunities that exist for them to perhaps go through the more mainstream financial services that can be available, but are often not available, unfortunately. So we have a banking industry that discriminates against some of these people, and they are then forced to seek out the services of these loan-shark-type payday lending facilities.

1130

It's really kind of interesting to see what has not happened in Ontario to address this problem. We have a government that at this point in time is not acting on this problem, although we know it's been raised several times in the Legislature. It's well overdue that somebody gets serious and puts a stop to this nasty business. Apparently the government is relying on some future dialogue, some discussion paper and all that. Meanwhile, people are getting ripped off day after day in community after community across the province.

It's just not good enough to say that some time soon we'll be having a discussion about the problem. We know what the problem is. We know this industry needs to be regulated. We know there need to be stronger consumer protections in place to address the problem of payday loans. It's just a matter of getting off the collective tush of the government and getting it done. Bill 193 does that. I'm really hopeful that we'll get the support we need for this bill, move it into committee and come out at the end of the process with a good, solid

piece of legislation that tries to go after these sharks who are ripping off consumers every day.

I was looking through the materials, and they have a quote here from Jim Watson, the minister, who says, "I think it's a good first step." The idea is that it's a good first step that the businesses themselves get together to try to do some self-regulation. That's like the fox in the henhouse, quite frankly. I don't think that self-regulation, although it sounds like a good thing, will bring the results we need to see. Unfortunately, it's taken a significant amount of nastiness published in various newspapers and news outlets about these disgusting practices. Self-regulation is just not going to cut the mustard when it comes to dealing with this industry.

I want to mention something that was in the Ottawa Citizen on March 31, referring to Stop 'N' Cash 1450. This is in regard to the Ottawa judge who recently made a decision on this particular industry: "The judge wrote, 'The plaintiff has displayed an organized deceptive pattern designed to exploit the vulnerable.' The actions of the other company, Affordable Payday Loans, were akin to loansharking, the judge said." This is what we all think. Anybody who has ever had the experience of talking to someone who's been ripped off, anybody who reads any of the volumes of material that are available regarding this industry, will know that this is quite clearly a sentiment we should all be sharing. Not only is it a sentiment we should be sharing, but it should be a motivator for us to get this bill passed and make sure we put a stop to the organized, deceptive pattern of exploiting the vulnerable that these payday loan operations unfortunately make so much money out of.

From the same article: "Consumer protection is part of the job of Consumer and Business Services Minister Jim Watson. But where's Watson? The omnipresent minister has kept a low profile on the payday loan issue. New consumer protection legislation this summer will mean the payday loan companies have to more clearly spell out how badly they are gouging customers. Ministers from other provinces will meet in June to discuss what else to do."

It's really clear what else needs to be done. In the interim, while we push this bill through the process and get some real legislation, the Attorney General needs to lay charges whenever these things are brought forward, whenever they are brought to the light of day. The laws do exist, and unfortunately they're not being enforced. Yes, it will likely cost a significant amount of money to start prosecuting some of these, but the message has to get out there one way or another. Until we can get a better regulated system in place, for the time being we have to find a way to dissuade these loan sharks from preying on the vulnerable in our communities.

I want to spend a few minutes talking about how exactly this industry breaks the law. I think it was adequately illustrated by the member from Niagara Centre in his description of the bill during his initial 10 minutes. What happens is that these payday lenders charge annual interest rates of sometimes over 1,000%. The Criminal

Code of Canada says that annual interest rates should not exceed 60%. That's where the breaking of the law is occurring.

There's an example we have here that I wanted to go through with you because it really illustrates the problem. Canada Cash Advance allows a short-term loan of up to \$500 and demands a return of \$612.50. They're allowing rollovers of the original amount, provided that the interest is repaid, so you can just keep paying the interest but your loan continues to be outstanding. Lenders claim that it's actually a new loan, but it's really borrowing the same amount again and again and again. That means that after about a year, you could be paying \$1,350 on a \$500 loan and never pay down any of your principal. That's an interest rate of 268% annually. This is the kind of thing that, unfortunately, is happening time and time again, and we need to get active on putting a stop to it.

So how do you do that? How do you put a stop to it? Well, Bill 193 does that by putting together a framework of both consumer protection and a licensing and regulation regime.

It will give the government the power to put a hard cap on the interest rates charged by the payday lenders.

Under the Payday Loans Act, no payday loan would exceed 25% of the borrower's net income from their next paycheck, so you can't borrow more money than you're actually going to receive in your pay in the short term. This is a practice that has to stop, that people are allowed to borrow money at these exorbitant interest rates while the company knows full well that that person is not going to have the opportunity to pay back that loan because they don't even have enough money coming in their next pay to cover it off. This bill would prevent that from happening and would ensure that the maximum amount of the loan couldn't be any more than 25% of the person's net income for their next paycheck.

A full ban of the rollover loans and the imposition of a cooling-off period at the end of one loan before the next loan can be taken out: These are real consumer protections and these are things the minister should have been looking at, but instead we now have an opportunity to bring them forward with Bill 193.

It also would ensure that the consumer is very clear on exactly how much they are paying on the payday loan they're taking out versus what it would be on a standard loan in the mainstream financial sector.

Then there's the licensing and regulation of operators that needs to occur so that not just any person, any group of people, anybody who feels like maybe making a cool quick buck can set these things up. It's unbelievable that there's no licensing required for these facilities. Anybody who at all thinks, "This might be a lucrative thing to get into"—and guess what? It's very lucrative—can just set these things up. This bill says that's not right, that if in fact you're going to set up a payday loan facility, you need to be licensed and there are going to be requirements of your licence. Not only the basic requirements around licensing fees to pay for administration of the regime, but minimum operating capital, a presence in the

jurisdiction—you can't just be a fly-by-night type of person coming in and out—and details of the corporate structure and governance of your business are going to be required. These are things that will then be on record, so that should fines—well, that's another part of this, in fact.

There's the establishment of a regulator that can then ensure that regulations around payday loan facilities are being enforced. Then, of course, there are the abilities that regulator would have to make sure that the regime is being appropriately operated: powers to renew, suspend, cancel and grant licences, as well as the ability to prosecute those who are not following the rules that are set out and not complying with registration under the act.

The other piece would be spending some real time as a regulator to provide education to consumers so that they understand what it is they're getting into and to ensure that the complaints that will still likely come forward have a place to go. The regulator can follow up on those complaints as a way of ensuring that there is integrity in the system.

A system that right now has no integrity whatsoever, that a judge called—what was that quote again?—"legalized loansharking" is something that is banned forever in this province through Bill 193. If we're going to have to have these payday loan facilities, then they would be regulated and consumers would be protected from the kind of financial usury that is currently rife within this industry.

Thank you very much. I'm very proud to support this bill.

**Mr. Jeff Leal (Peterborough):** I intend to support Bill 193, the Payday Loans Act, introduced by my colleague from Niagara Centre. It builds on the work that has also been done by my colleague from London North Centre.

To try to bring this home, during the time that I was in municipal politics in the city of Peterborough, I chaired the social services committee on two occasions. Through that experience, you would often encounter individuals who would make appointments with you to come and talk about why, because of the particular set of circumstances they were in, they would have to avail themselves of one of these payday loan organizations to seek funding on a short-term basis over the next two months. It was always very distressing for me personally to deal with these individuals. You looked at their situation and tried to perhaps steer them to other sources to assist them to get through the short-term difficulty they were having, but inevitably they would end up in the door of one of these payday loan organizations to get a short-term loan, often to address some immediate family needs.

That's one of the reasons I was pleased that the Minister of Community and Social Services, the other day in this House, talked about providing some transition for individuals who are moving from Ontario Works into the full-time job area, because often those were the individuals who would come to see you. They were anticipating moving into a full-time job, but often they were on



OW/ODSP, and being a recipient of OW/ODSP, they would have dental and drug cards for their family. What would happen is that they would move into full-time employment, and in six months, because they didn't have those benefits for their family—they may have a sick child or another loved one they were looking after—they would have to go to a payday loan organization to acquire extra dollars to provide for their family.

I see this bill in the context of a few years ago when right across Canada we had to clean up some of the regulations regarding interest charged on credit cards. There was a great swell of consumer concern, not only in this province but right across Canada, to make sure that credit card companies clearly, in a very transparent way, would provide a schedule of charges that individuals would face if they didn't pay off their credit card balance within a prescribed period. I think that's important.

The member from Halton raised the important issue that there are some bad apples, but there are others who conduct themselves in a reasonable business fashion. But if you bring in this bill and have a schedule of charges to make it much more transparent, then everybody who walks through that front door sees very visibly what charges they may anticipate if they avail themselves of that particular service.

Indeed, I've heard and had a chance to read newspaper accounts of the judge's comments, particularly in Ottawa, when he talked about these activities bordering on loan-sharking and usury types of situations. I think all parliamentarians have a responsibility to clean this up.

Also, you have a situation where a crisis may occur. For example, last July we had the flood in Peterborough and, before insurance would kick in for those who had insurance or before provincial support kicked in for those who didn't have insurance, people who were at the lower-income strata of our society had to take advantage of these payday loans because they had to replace furniture or appliances. So people in crisis at least need to have some knowledge that if these activities are going to take place in one's community, there are a series of regulations.

I see this legislation as a complement to any changes that may be made at the federal level.

My friend from Oak Ridges is here. I remember he was at the Ronnie Hawkins concert in Peterborough, which raised a lot of money to support primarily those individuals who were caught without appropriate insurance or no insurance after that flood. I know we had a great time that evening. I appreciate that the member came to Peterborough to generously support that event.

I think it's important that we move this bill forward. It does indeed come to the assistance of people who are the most vulnerable in our society, and I happen to think it's important that we provide that protection. On that basis, I will give my wholehearted support to this piece of legislation.

**Mr. Frank Klees (Oak Ridges):** I, too, want to join with other members in the House in expressing my support for this legislation. I commend the member for

Niagara Centre for bringing it forward. It really does go to the heart of what we as legislators are all about, and that is to ensure that there are protections in place for consumers and that the laws are here to protect those who need protecting.

I'm always concerned when we bring forward another piece of legislation that calls for more regulation. I think all of us will agree that we are so overburdened, as a society, with rules and regulations. Every time we turn around, it seems that there's more red tape being added, and we continue, in this place, to add more loads of regulation. However, as someone once said, there is such a thing as good regulation, and I believe this falls into that category.

It is unfortunate that people have to resort to using this kind of facility. Really, the fact that we're even debating this is an indication that there is a deeper concern. The problem isn't so much with loans; it's the fact that people find themselves in a circumstance where they have to resort to getting a loan to take them over the next month or two. That's a fundamental problem in our society today. It seems that it doesn't matter if someone is on welfare or is working for minimum wage or is earning a \$40,000 income or an \$80,000 income; in today's society, people are always spending more than they should be.

**1150**

I have felt for a very long time that we have a responsibility, as a society, to help people become more responsible in the use of their financial resources. I am an advocate of starting right in our school system. Within our curriculum, at the very early ages in our curriculum, there should be something there to teach young people about the value of money, the source of money and how it should be budgeted, so that young people begin to appreciate the fact of stewardship, meaning how you use what you have responsibly.

I have watched people, as you may well have, go into these places. It's saddening when you realize that it is in fact the most vulnerable in our society who are taking the few dollars they have, because they need it today, but what's being skimmed off is 25%, 30% and 40% of that, which they need to buy the next loaf of bread or to put groceries on the table for their families. You know that a business is skimming that, but there aren't the protections in place to protect people like that from their own weakness. So there is a responsibility that we have, but I suggest that there are things that we should be doing beyond this legislation and beyond this kind of regulation to get at the heart of the problem.

I want to implore the Minister of Consumer and Business Services because, while I thank the member from Niagara for bringing this forward and while I will be supporting this—and I'm sure this bill will pass today, and it will hopefully go to committee and there may well be some changes to the regulation and then it may well be referred back to this House for third reading. My concern is that that will be the end of it, because there have been many other good, private member's initiatives

very similar to this that have enjoyed the support of this House, but when it gets to the point of the government actually implementing the legislation, because it's not a priority for the minister, it's not a priority for the ministry, the bureaucracy will say, "The last thing we need on our plate now is one more piece of legislation to administer," and all of the good intentions of this House are frustrated.

One example of that is the Collision Repair Standards Act, Bill 186, which was introduced in this House. You recall it well; I know you spoke to it, Speaker. It was passed unanimously by this House and received third reading. It is still sitting on the minister's desk awaiting implementation. As recently as a couple of weeks ago I had a discussion with the minister encouraging him to implement that because it, like this, protects consumers against those in the collision repair industry who are ripping people off across this province. But it's not a priority for the ministry—and that's from the minister's own statement to me. How disappointed I am in that, because it's a solid piece of legislation. The stakeholders within the industry support it; they want it. As with this legislation before us, I encourage the minister to implement it because it's in the best interest of the people we represent. These are the pocketbook issues that affect people across this province and, for that reason, I again commend the member from Niagara Centre for bringing it forward. I will be supporting it, but I look forward to the minister implementing it.

**Mr. Dave Levac (Brant):** I do appreciate taking the last few minutes to address Bill 193, the private member's bill from the member for Niagara Centre, who brings to us a passion about this particular industry. It's a little late, because I do remember having this conversation with him about that quite some time ago.

The member from Oak Ridges wants to talk to us a little bit about private members' bills. I want to tell him that I have a positive example of how private members' bills get going, and that's Bill 3, the anaphylactic law. I would suggest to you very strongly that I look forward to improving the circumstances of private members' bills and engaging that, and that's going to be taking place in the democratic renewal. I know that in this House, each one of us would like to see private members' business become a little bit more focused and allow us to speak to the voice of the particular bills that are coming up.

I want to support another statement made by the members opposite. There was a comment about, "Let's not paint everybody with the same brush." I've met with the organization of payday loan people and they are on-side with looking at regulations. Unfortunately, though, there are people outside of that membership who I believe the member is talking about more succinctly, in that there are some really nasty things going on out there. But that organization is speaking very clearly that they see this as an important issue. They have taken steps and actually started a code of ethics and a code of behaviour. They are looking at everyone joining in with that organization and presenting it to government. The govern-

ment's bill itself is starting to speak about that industry. We do have some serious issues with how people are used to get that money and to make money off it.

The member from Oak Ridges also mentioned education in schools. I wholly agree with him, but I want to remind him that even as far back as 1977, when I started my teaching career, we were doing that. I was using my grade 7 class to experiment with how banking operated. Each member of the class eventually had the responsibility of holding the bank book, making deposits and—talking to the other private member's bill of today—we actually ran out and collected pop bottles, raised money for charity, deposited the money in the bank, and each one became a treasurer or a secretary.

I would suggest to you that it's a good idea that we use that as a stepping stone to move on to the high school level, where we start talking about serious stuff like investing and budgeting and all the things that are necessary for us to achieve that knowledge base that helps us with this particular issue. I fully concur with his observation: The more we can educate our young people in the budgeting process, no matter how much money one makes, the easier it will be for us to avoid the circumstances we're talking about today.

I would suggest that we are painting too many people with one brush, but at the same time I laud the member for bringing it forward and asking us to debate it in private members' business. The government has been listening very carefully to what is transpiring today. We're looking at options in Bill 70 that will be speaking directly toward what Mr. Kormos is bringing up today.

I want to suggest to this House that, indeed, this is a topic that is timely. This is a topic that is going to be addressed. With all of the members' assistance and help, and the industry itself—I want to challenge the industry itself to continue to grow in its responsibility and professionalism, to treat the people out there who are using their services with respect and dignity, and make sure that they don't lose those customers in the long term. So I appreciate the member bringing this to the House's attention. Thank you for this opportunity.

**The Deputy Speaker:** Mr. Kormos, you have up to two minutes to reply.

**Mr. Kormos:** I want to thank all members for their interest in this matter and for their participation in the debate. I welcome the comments that have noted, among other things, that of course it's not all payday lenders who have to be reined in. But we pass laws against theft to control people who are inclined to steal, to control thieves, not to control honest people. I understand that.

I reinforce the observation made that it was the resolution passed unanimously by this House on December 16, 2004, sponsored by Ms. Matthews from London North Centre, wherein this House committed itself to moving on this. I made reference to that, obviously, as you'll recall, in my opening comments.

I want to repeat my gratitude to ACORN. This grassroots organization has done a tremendous job generating familiarity and insight into the impact of bad payday



lenders on low-income people, people on social assistance, people trying to survive on disability benefits. They have played a critical role in bringing this matter forward.

Look, if this bill should receive second reading—and I sincerely hope that it does—it becomes the government's bill for the purpose of calling it for third reading or for dealing with this matter in any way that it sees appropriate.

I ask this chamber to understand and acknowledge this: We have the model. Other provinces have embraced and adopted it. Most American jurisdictions have, and other countries have. People are being hurt badly. People are being impacted very, very significantly. People's lives are being torn apart by the vicious lending style and the usurious interest-charging by bad payday lenders. I simply urge this chamber to move quickly on creating a regulatory regime to rein in these operators and protect some of our most vulnerable sisters, brothers and neighbours when it comes to the attack on them by these operators.

**The Deputy Speaker:** Thank you to all members. The time allowed for private members' public business has expired.

#### ENVIRONMENTAL PROTECTION AMENDMENT ACT (PRODUCT STEWARDSHIP), 2005

#### LOI DE 2005 MODIFIANT LA LOI SUR LA PROTECTION DE L'ENVIRONNEMENT (GÉRANCE DES PRODUITS)

**The Deputy Speaker (Mr. Bruce Crozier):** We will deal first with ballot item 69, standing in the name of Mr. Miller. Is it the pleasure of the House that the motion carry? Carried.

**Mr. Norm Miller (Parry Sound-Muskoka):** To the committee on the Legislative Assembly, please.

**The Deputy Speaker:** Mr. Miller has asked that it be sent to the standing committee on the Legislative Assembly. Agreed? Agreed.

#### PAYDAY LOANS ACT, 2005 LOI DE 2005 SUR LES PRÊTS SUR SALAIRE

**The Deputy Speaker (Mr. Bruce Crozier):** We will now deal with ballot item 70, standing in the name of Mr. Kormos. Is it the pleasure of the House that the motion carry? Carried.

**Mr. Peter Kormos (Niagara Centre):** I ask that this House refer this bill to the standing committee on justice policy, please.

**The Deputy Speaker:** Shall it be referred to the standing committee on justice policy? Agreed.

All matters relating to private members' public business having been dealt with, I do now leave the chair. The House will resume at 1:30 of the clock.

*The House recessed from 1201 to 1330.*

**Mr. Dave Levac (Brant):** On a point of order, Mr. Speaker: I just wanted to bring to the attention of the House a very important demonstration going on outside by our young people. High school students from the Toronto area are bringing attention to a very serious problem of violence against women. I want to congratulate them. The security has told me that it has been an exemplary demonstration and everything has gone well. I want to thank them for doing that.

**The Speaker (Hon. Alvin Curling):** That is not a point of order, as you know.

## MEMBERS' STATEMENTS

### FOREST INDUSTRY

**Mr. Norm Miller (Parry Sound-Muskoka):** I would like to take this opportunity to draw attention to a serious situation developing in northern Ontario.

Recently, I stopped in more than a dozen different communities while driving 3,700 kilometres across the north. Most of the meetings I attended had representation from the forestry industry. For instance, I met with the mill manager at Red Rock on Lake Superior, where linerboard is produced. I also met with Jacques Dorval, the mayor of Opasatika. Opasatika is a one-industry community, as are many of the towns in northern Ontario, and its mill is scheduled to close next month. This week, Tembec announced that it is closing four paper and lumber mills, three in Quebec and one in Brantford. The Brantford closure immediately affects 56 employees.

This is just the beginning. The Ontario Forest Industries Association is warning that as many as 12 forest industry mills are at risk in northern Ontario. The forest industry makes a huge contribution to northern Ontario. As Jamie Lim, president and CEO of the Ontario Forest Industries Association, points out, "The forest industry is in crisis and the loss of our industry is a loss for the entire province."

Consider the lost tax revenue, should these 12 mills close: \$340 million for the province and \$75 million at the municipal level. The association said that the closures would cause the loss of 7,500 jobs in the north and wipe out 13,000 indirect jobs in the south. Consider the impact on individuals, families and communities.

The Minister of Natural Resources was quoted as saying that he was "quite surprised to hear that a dozen mills are on the brink." I would like to say to the minister, isn't it your job to know the state of the forestry industry in Ontario? Isn't it about time you did something to address the problem?

## REFINERY CLOSURE

**Ms. Shelley Martel (Nickel Belt):** As Inco finalizes a deal to ship raw copper to a refinery in Quebec, the Premier and the Minister of Northern Development and Mines have done nothing to stop this plan to ship our resources and our jobs out of Sudbury.

I've asked the Premier twice now if he's prepared to intervene in this serious matter. Twice he has ducked my questions in the Legislature. I've written and called his office, requesting a meeting between myself, himself and Steelworkers representatives to determine what he will do to save these jobs—no reply.

Some 160 good-paying union, management and support staff jobs will be lost from Sudbury if this deal goes through. This doesn't include the spinoff jobs which will also be lost locally if the refinery is closed. Yesterday, the Minister of Northern Development and Mines said that Inco has created 125 new union jobs in Sudbury since January 2005. The truth is that more union members have retired than Inco has hired to replace them. So the union has actually lost members overall. The Steelworkers union confirmed yesterday, and again today, that from January to May 2005 the union had a net loss of 33 jobs, and in the past 17 months, from January 2004 to May 2005, a net loss of 136 jobs. Losing another 140 union jobs with the closure of the Copper Cliff refinery is a loss that Sudbury can't afford.

It's time for the Premier and the Minister of Northern Development and Mines to get off the sidelines and take a stand. I'm standing with the workers and the community, who know how devastating the loss of the refinery and the jobs will be. Whose side is the Liberal government on?

## SOCCER EXCHANGE

**Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge):** I rise in the House today to recognize the 2005 Nunavut soccer exchange involving the Pickering and Ajax soccer clubs, coordinated by Mr. Terry Gariba.

In May 2004, a group of students from Inuksuk High School in Iqaluit, Nunavut, journeyed to Pickering to play their first outdoor soccer game. While in Ontario, they were able to see a live Blue Jays game, and Pickering designated a Nunavut Day and flew the territory's flag at city hall.

This year, Iqaluit is returning the favour. Last week, 16 soccer players in Pickering and Ajax had the opportunity to participate in traditional hunting and fishing, traditional Inuit games, dog sledding and igloo building, and experience drumming, dancing and throat singing, all in addition to an indoor soccer tournament. The soccer club also toured Nunavut's Legislature and met with its Premier, the Honourable Paul Okalik.

I would like to commend the Pickering and Ajax soccer clubs for embarking on such an exchange, as well as the citizens of Pickering, Ajax and Iqaluit, and ex-

change coordinators and sponsors in both the north and the south.

Many Ontarians—or Canadians, for that matter—will never have the privilege of experiencing the rich culture of Canada's north such as this. It's thanks to the Pickering and Ajax soccer clubs that youth in my riding were able to do so.

## MISSISSAUGA YOUTH WEEK

**Mr. Peter Fonseca (Mississauga East):** I rise in the House today to acknowledge Youth Week in the fine city of Mississauga, and one of the recipients of the Mississauga Young Citizens of the Year award.

Youth Week is a festival organized by the Mayor's Youth Advisory Committee of Mississauga to encourage volunteerism and a spirit of community that celebrates the achievements of young people in the community and that endeavours to foster the leaders of tomorrow.

Some of this week's activities include a city-wide scavenger hunt, a park cleaning, a live concert featuring the best of Mississauga's rising local bands, and a youth forum dedicated to introducing youth to global issues and critical analysis. The week culminates with Mississauga's Youth Achievement Awards, which honour local youth for outstanding achievements in all facets of their lives.

One of this year's youth citizens of the year is Naeema Tharani, a resident of my riding of Mississauga East. A grade 12 student at Glenforest high school, Naeema has served as chair of the Ismaili Youth Club of Mississauga. In this role, she has coordinated volunteer days at the local food bank, organized university tours for the Ismaili Youth Club, as well as arranged for motivational speakers to come and inspire the club members.

In addition to her role as chair, Naeema volunteers her time teaching math and reading to child refugees from Afghanistan. Through her work with refugee children, she feels that she can help raise not only their marks but also their self-confidence.

Naeema is a true leader and serves as a role model, not only for the youth of Mississauga but for all of us.

## COMMUNITY COLLEGES

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** I rise today to ask the Legislature to join in the celebration of the 40th anniversary of the establishment of Ontario's colleges. This year marks 40 years since Ontario colleges were established in legislation. A lot has changed since then, but the need for colleges has not. They were created to serve those who specifically were not university bound and who were seeking technical or vocational education.

On May 21, 1965, then Minister of Education William G. Davis, who served in the Progressive Conservative government of John Robarts, introduced the legislation establishing the colleges of applied arts and technology. The bill received all-party support, and I think support for the important work of colleges continues to this day.



Forty years after they began, Ontario colleges have evolved into 21 colleges of applied arts and technology and three college institutes of technology and advanced learning. These institutions annually serve 150,000 full-time students, close to a million part-time students and employ approximately 30,000 people in 200 communities across Ontario.

William Davis, when asked about the success of colleges in 2003, commented, "The success rate of the graduates of colleges of applied arts and technology in obtaining employment, which we had all hoped would be the case, has gone beyond what we might reasonably have anticipated."

I ask members of all parties to join in celebrating 40 years in which colleges have helped add to the prosperity of our province. Let us wish them more years of success.

### NURSES

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** Last Friday, I had the privilege of visiting with the wonderful nursing staff from the Henderson site of the Hamilton Health Sciences Corp. I've now done this three years in a row.

I was delighted to acquaint myself with Andrea, Nancy, Kathy, Jennifer and others, as they led me through a fascinating tour of their nursing world. This tour opened my eyes to the challenges and successes nurses face daily. Their professional team approach, their ability to keep up with evolving medical developments and the challenges of working in an ever-changing environment is really quite remarkable. Above all, it was clear that regardless of the circumstances, the patient relationship always comes first.

1340

My guides reminded me that last Thursday was the birthday of Florence Nightingale. Today she may seem like a fairytale character, but as the first nurse in modern medicine, she laid a foundation for a great profession. Nurses are now highly skilled managers, co-ordinators, leaders and mentors; all this in addition to their traditional role as skilled professionals and highly efficient and empathetic caregivers.

Last week's Ontario budget had much to offer in our government's ongoing commitment to health care. We are continuing with our plan to make Ontarians healthier by increasing the number of doctors and nurses and reducing waiting times. For the first time, there will also be predictable multi-year funding for hospitals. This plan should bring more nurses and quality health care professionals to our wonderful health care teams.

### ELECTORAL BOUNDARIES

**Mr. Norman W. Sterling (Lanark–Carleton):** In 1962, Premier John Robarts appointed Ontario's first electoral boundaries commission and said that it was "designed to remove the whole matter from the field of politics." Not since that time have we had electoral

boundaries changed by legislation without the advice of an independent electoral boundaries commission—until now. To revert to the practice of changing boundaries without a commission could be seen as gerrymandering.

In 1970, a committee of this Legislature recommended that a process of appointing an electoral boundaries commission be enshrined in legislation, as our federal Parliament has done. Although there have been redistribution commissions for every riding boundary change since that time, none has been done pursuant to a provincial act of this Legislature.

Today I will introduce a bill that will legislate regular reviews of our riding boundaries by an independent commission. Many members of this Legislature wish to maintain 11 constituencies in the north. The bill I will introduce today will not only ensure that there are 11 ridings in the north for the next election but forevermore.

The Electoral Boundaries Commission (Ontario) Act sets up a boundaries commission to readjust all boundaries in Ontario, leaving the total number of seats up to the commission but ensuring that 11 remain in the north. This will no doubt lead to a larger number of MPPs in this Legislature, but you can't have it both ways. This process would ensure that all Ontarians are treated fairly, that voting power is equally distributed to all citizens and that section 3 of our Charter of Rights and Freedoms will be respected.

### MAGNETIC RESONANCE IMAGING

**Mr. Ernie Parsons (Prince Edward–Hastings):** I would like to take this opportunity to talk about the achievements our government is making in the area of wait times. Our government has set an aggressive agenda with a plan to increase access to MRIs and reduce wait times in key areas, and it's a plan that is very clearly working. In our short time in office, we've reduced wait times significantly throughout the province.

In Kingston, we provided the Kingston General Hospital with \$85,400 to increase hours of operation and add 333 more exams in 2004-05. We've also allocated \$3 million to Kingston General Hospital for a new, more efficient MRI which will provide 420 more exams per year. This MRI is scheduled to be installed in 2005-06.

It's not just our government and the public saying that things are better. Today, in the Kingston Whig-Standard, I read, "There will be even more scans after a newer, faster machine is installed at Kingston General Hospital in late July." This is on top of the fact that, as the Whig-Standard noted, "Waiting times for MRI scans in Kingston have dropped dramatically in the past six months, both at Kingston MRI and Kingston General Hospital."

We have also repatriated an MRI back into the public realm and increased the hours of operation at that clinic from 40 to 60 hours per week.

The medical community and the patients, along with their families, are thrilled at our reduced MRI waiting times. How far have they dropped? In the Kingston area

alone, the waiting list shrank from about 1,500 under the previous government to about 200 in two years.

People are no longer waiting four to six months for a non-urgent MRI. Our government has made huge headway in improving the quality of health care in this province.

BOB HUNTER

**Mr. Mike Colle (Eglinton–Lawrence):** Bob Hunter was a trailblazer, a mentor to many of us, a role model, a teacher, an artist, a journalist, an author, a green crusader of international stature, a hero, a son, a husband, a father and a grandfather.

Bob Hunter's passion and love for this planet inspired a generation, and you could see that at the memorial held for Bob this past weekend. As in life, his death brought all walks of life together. He left us far too soon, with so much to be done. Fortunately, Bob's spirit will always be with us. Bob always stood up for what he believed, no matter what the risks, no matter what the cost.

Bob shared his knowledge with us in so many ways: through television, literature and his art, for which he was internationally recognized. In 1991 he was awarded the Governor General's award for English non-fiction for *Occupied Canada: A Young White Man Discovers His Unsuspected Past*, which he co-authored with Robert Calihoo to raise awareness about the plight of aboriginal Canadians. He received residency from the Canadian Centre for Advanced Film Studies. In 1994 he received the Canadian Environment Award from the government of Canada, and in 2000 *Time Magazine* named Bob an environmental hero of the 20th century.

Bob Hunter was our own David Suzuki, our own Jacques Cousteau. As Liberals, we were honoured to have him run for public office under our party banner. He was relentless in raising awareness about the impending danger of climate change and the urgent need to change our energy regime. Even when he was sick, at a time when he could have given up his work, he still did not focus on himself; he worked on. He continued to try and make this planet a better place for all of us and for our children's children.

Although Bob has passed on, he has not left us, for all we have to do is enjoy a walk in a conservation area or paddle a canoe or hear a bird sing in a protected habitat, and Bob is there. From the Galapagos Islands to the Arctic Circle, from the Leslie Street spit to the Oak Ridges moraine, he is there giving us a gentle nudge.

Mr. Speaker, I wonder, with the family here, if we could have a moment's silence in respect of Bob's passing. I seek unanimous consent.

**The Speaker (Hon. Alvin Curling):** Do we have unanimous consent? Agreed.

All rise, and those in the gallery also.

*The House observed a moment's silence.*

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

**Mr. Phil McNeely (Ottawa–Orléans):** I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill 186, An Act respecting the composition of the council of The Regional Municipality of Peel / *Projet de loi 186, Loi traitant de la composition du conseil de la municipalité régionale de Peel.*

**The Speaker (Hon. Alvin Curling):** Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

## INTRODUCTION OF BILLS

### TYNDALE UNIVERSITY COLLEGE & SEMINARY ACT, 2005

Mr. Klees moved first reading of the following bill:

Bill Pr12, An Act respecting Tyndale University College & Seminary.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

1350

### ELECTORAL BOUNDARIES COMMISSION (ONTARIO) ACT, 2005

#### LOI DE 2005 SUR LA COMMISSION ONTARIENNE DE DÉLIMITATION DES CIRCONSCRIPTIONS ÉLECTORALES

Mr. Sterling moved first reading of the following bill:

Bill 204, An Act to provide for the periodic establishment of a commission to readjust the number and boundaries of electoral districts for the purposes of the Legislative Assembly / *Projet de loi 204, Loi prévoyant la constitution périodique d'une commission chargée de réviser le nombre et les limites des circonscriptions électorales aux fins de l'Assemblée législative.*

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr. Sterling?

**Mr. Norman W. Sterling (Lanark–Carleton):** This bill does what we have been doing in this province for the last 50 years, and that is appoint an electoral boundaries commission before we legislate boundaries in the



Legislative Assembly. Unfortunately, we have in front of us today a bill which legislates the boundaries of ridings in this province without a non-partisan approach. That was done away with back in the early 1960s. It has been done away with at the federal Parliament. We want democratic reform; we don't want to be retrogressive in our approach to our democratic institutions.

This would set up a boundaries commission ensuring that there would be 11 ridings in the north of Ontario for the next election and every election thereafter. However, it would readjust boundaries in the southern part of Ontario as well. So this is a bill that is fair to all Ontarians and ensures that forever there will be 11 ridings in the north, of which the present bill in front of the Legislature by the government does not assure the northern people.

## MOTIONS

### HOUSE SITTINGS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I seek unanimous consent to make a motion without notice respecting this evening's sitting.

**The Speaker (Hon. Alvin Curling):** The government House leader requests unanimous consent. Agreed? Agreed.

**Hon. Mr. Duncan:** I move that, notwithstanding the order of the House dated Tuesday, May 17, when this House adjourns at 6 o'clock today, it stands adjourned until 1:30 p.m. on Monday, May 30, 2005.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### WALKERTON TRAGEDY

**Hon. Leona Dombrowsky (Minister of the Environment):** Five years ago today we all watched and listened with shock and great sorrow as the magnitude of a disaster slowly revealed itself in a quiet Ontario town called Walkerton. It was almost impossible in those early, awful hours to believe that such a thing could happen in Ontario. The seven deaths and thousands of illnesses were all the more terrible because these people were betrayed by something they thought they could trust entirely: their drinking water.

People deserve the reassurance that they can trust something as fundamental as the water coming out of their taps. The Walkerton tragedy shook the foundations of our faith in many institutions, including government. It is not for the government itself to judge when trust has been restored. We need to earn it back. Only the people

of Ontario will decide. Perhaps for many of us the sadness of Walkerton has subsided with the passing of time, but trust takes a great deal of time and effort to rebuild.

Our government came into office with a promise to implement the recommendations of the Walkerton inquiry, and we have accomplished a great deal to protect drinking water, human health and the environment. Our government has invested in key areas to ensure that our water is cleaner and safer.

We have increased the number of water inspectors by 25%.

We now require all operators of municipal water systems to be certified, and we have implemented the toughest training requirements in North America for water operators.

We have invested in the science of water protection by creating an Advisory Council on Drinking Water Quality and Testing Standards. The council was vital to our work to amend the drinking water systems regulation, regulation 170, and they continue to work on important subject areas such as chlorination of wells.

Our government has created the Walkerton Clean Water Centre, a new agency to focus on improving training for water systems operators. It will ensure that training is available and accessible to operators in rural and remote communities and determine the long-term needs of operators.

The people of Ontario deserve access to information about their water supply. We are committed to openness and transparency. The ministry is working hard to make all the information that we gather on drinking water accessible to the public. I have asked for a progress report from the chief drinking water inspector at the end of this month and a comprehensive report this fall on the performance of our province's water treatment plants. We are also developing an Internet-based information centre that can be accessed by anyone looking for information on their local water quality.

We have strengthened how permits to take water are issued, to protect against the wholesale draining of our watersheds.

We established the technical experts committee and the implementation committee to bring their best recommendations on how to implement source water protection. These recommendations have been posted on the Environmental Bill of Rights registry for public comment, and with their input we look forward to introducing source protection legislation this year.

We have also invested millions of dollars in the cleanup of the Great Lakes.

On Tuesday I announced that, through public health units, we will implement a risk-based approach that is an effective and affordable approach to ensure that drinking water is safe. We will expand oversight to private water systems to ensure that people can trust the water wherever they go in Ontario.

We are also looking forward. Our government's five-year, \$30-billion infrastructure plan includes money to upgrade municipal water and waste water systems. That

means better access to clean water in communities across Ontario.

Our government is working very hard to regain the trust of the people of Ontario. I believe we have moved forward, providing cleaner, safer water from source to tap for all Ontarians. I believe we are creating more workable solutions to allow more communities to offer a safe and sustainable supply of drinking water.

Protecting the health of Ontarians, our communities and our environment is an ongoing task. We take it seriously, and we will commit whatever is necessary to keep Ontario safe and healthy.

The people of Walkerton paid a great price. We owe it to them to ensure that no community will ever need to deal with such pain again.

1400

**The Speaker (Hon. Alvin Curling):** Responses?

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** As we take a moment to reflect on the tragedy in Walkerton, I welcome the opportunity to examine our post-Walkerton climate and issues that have emerged in the ensuing years. As you know, the former PC government was swift in its response. The O'Connor report was commissioned in the aftermath and set the wheels in motion for a series of initiatives, set the wheels in motion for legislation and set the wheels in motion for a plethora of regulations to ensure the protection of people's drinking water in Ontario. The report contained a series of recommendations that were acted on almost immediately upon its publication, and a number of those steps were taken before publication of the report.

However, given the tragic nature of the events that took place, I do question the present government's inability to take action in a number of areas, and there is a case for continuing concern. For example, earlier today I met with members of OASIS, a group that represents sewage haulers in Ontario. They're frustrated that the options for disposal of the septage waste that we all produce in rural areas are fast dwindling. It leaves a dangerous situation where septic tank waste, left on its own, can find its way into water and has the potential to find its way into people's drinking water. Obviously, that's where it does not belong. Many of our municipal treatment plants don't want this stuff, or feel they don't have the capacity to handle rural septage.

I feel that there is a role for the province to deal with the municipalities directly, albeit for a short-term solution. Many of us will recall the septage haulers circling Queen's Park a month or so ago with their trucks and their tractor-trailers and their trailers with the portable toilets on the back.

There are over two million septic tanks in this province. Sewage haulers solve our septic waste problems for us. They're now running into a brick wall. You don't just send this stuff to the moon; it has to go somewhere. We in rural Ontario produce this waste. Rural waste—and this may be a surprise to the minister—also has to be safely disposed of, just as it is through urban municipal sewage and treatment structures. These people have a

strong reputation for providing a service. They're looking to this government for some leadership in this area.

There is a feeling out there that this government has somewhat failed to show continued leadership with respect to nutrient management. We know that there was a quick hit: Right after the election, our Minister of Agriculture lost that file. He may be feeling a little sensitive about that. There are many rural people and farmers out there who would prefer that Steve Peters was looking after nutrient management. There's a concern that it has gone to another ministry, the Ministry of the Environment. Whichever ministry, they are looking to this government for support in helping them meet the regulations.

I don't think I'm suggesting that this government purposely chose to antagonize farmers, but in many quarters, regrettably, that has been the result. At least two farm organizations—I think the Minister of Agriculture would know—have called for the Nutrient Management Act to be rescinded. That's a pretty serious situation for us to face.

I think of the days and days of consultations. I and the Minister of Agriculture sat in on these hearings.

*Interjection.*

**The Speaker:** Minister of Agriculture, come to order.

**Mr. Barrett:** To have these groups turn around and actually call for the act to be rescinded—

**Hon. Steve Peters (Minister of Agriculture and Food):** Do you agree with that statement?

**Mr. Barrett:** Well, there may be reason—

*Interjection.*

**The Speaker:** Minister of Agriculture, when the Minister of the Environment was giving her statement, I didn't hear any shouting over on this side. I'd like you to come—

*Interjection.*

**The Speaker:** I'd like you to show some respect for Parliament sometimes.

Member?

**Mr. Barrett:** I will get back to the Minister of the Environment in a minute. But there may be reason to agree with some of these initiatives coming from both the Christian farmers' organization and also the Rural Revolution group. We now have source water protection legislation waiting in the wings.

Thank you. I regret that I lost my time to the wrong minister.

**Ms. Marilyn Churley (Toronto–Danforth):** It's hard to believe that it was five years ago that this happened, because it is still fresh in the minds of those of us who are here and across the province. The breaking of the news of the Walkerton tragedy was one of those events horrific enough that, for me, and I'm sure for many of the people of Ontario, I remember exactly where I was and what I was doing when the news started to break about how serious it was: the horror of this happening, that people were dying, and the vision of the helicopters taking off from that tiny, beautiful town and taking children to hospitals. There were weeping parents. It was just so horrible.



I spent a lot of time in Walkerton as the environment critic, then under the Conservative government, an environment critic who spent a fair amount of time in this Legislature asking questions and warning the previous government that such a thing as Walkerton could happen. In fact, during the O'Connor inquiry, when Mr. Harris, the then Premier, was on the stand, a couple of my questions, along with other things, were mentioned as signals to the government that the cuts that were being made, over 30%, and the complete privatization of the labs and all of that could cause some serious problems, and unfortunately it came to pass.

I think one of the reasons the government of the day was allowed to get away with cutting so much out of the environment at that time was that nobody was paying all that much attention, because so much work had been done over the years to build a Ministry of the Environment and put resources into protecting our environment that we started to take it for granted. The message from Walkerton is that we can never take the stewardship and the care of our environment—that means the water we drink and the air we breathe—for granted. That was the lesson for all of us to learn, and particularly the people of Walkerton, the hard way.

When I stand in the House and question this government about what is happening with the Ministry of the Environment, making sure that the resources are there, I know the minister agrees with this, and at times I'm sure she is appreciative that I'm putting pressure on her from this side so that around the cabinet table she can make her case, with all the pressures on the finance minister and the government. I think that is a vital role the opposition plays in this place. I see the minister nodding.

I want to say that based on that, a Liberal election promise stated, "Source water protection is critical, as Justice O'Connor said." I was hoping the minister might be able to—I know it's very complicated legislation, but I was hoping, as we're all hoping, that we will see that long-promised source water protection legislation. We had hoped to see the source water protection legislation in 2004. Then we heard 2005, and we are still not seeing it today. I think it's vitally important—I see the minister nodding in agreement—that we cannot wait another year for this to be brought forward.

I was also somewhat dismayed to see that both the Ministry of the Environment and the Ministry of Natural Resources were flatlined in this year's budget. Again, I'm saying to the Minister of the Environment that I'm sure she is happy I'm raising this. If she had her druthers, she would like to see more money going into both of those ministries. Implementing meaningful source water protection legislation is very expensive, as we all know, so we really need to see, if this is going to take place, a rise in the MOE's budget as a consequence.

1410

MNR is responsible for conservation authorities. Conservation authorities play a huge role in source water protection, and the previous government cut them back by over 70%. I know the government put a little money

back in, which was a good thing in terms of starting the work on source water, but they're going to need a huge infusion of resources to continue.

So in the memory of the Walkerton tragedy and Justice O'Connor's recommendations regarding the importance of sound protection of our source water, I call on the minister and her government to immediately increase the funding for conservation authorities and to bring forward source protection legislation as quickly as possible.

## DEFERRED VOTES

### EDUCATION AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT LA LOI SUR L'ÉDUCATION

Deferred vote on the motion for third reading of Bill 194, An Act to amend the Education Act / Projet de loi 194, Loi modifiant la Loi sur l'éducation.

**The Speaker (Hon. Alvin Curling):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1410 to 1415.*

**The Speaker:** Order. Would all members please take their seats.

Mr. Kennedy has moved third reading of Bill 194, An Act to amend the Education Act.

All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Fonseca, Peter	Ouellette, Jerry J.
Arthurs, Wayne	Gerretsen, John	Parsons, Ernie
Barrett, Toby	Hardeman, Ernie	Peters, Steve
Bartolucci, Rick	Horwath, Andrea	Peterson, Tim
Bentley, Christopher	Hudak, Tim	Phillips, Gerry
Berardinetti, Lorenzo	Jackson, Cameron	Pupatello, Sandra
Bisson, Gilles	Jeffrey, Linda	Qaadri, Shafiq
Bountrogianni, Marie	Kennedy, Gerard	Racco, Mario G.
Bradley, James J.	Klees, Frank	Ramsay, David
Broten, Laurel C.	Kormos, Peter	Runciman, Robert W.
Bryant, Michael	Kular, Kuldip	Scott, Laurie
Cansfield, Donna H.	Kwinter, Monte	Sorbara, Gregory S.
Caplan, David	Leal, Jeff	Sterling, Norman W.
Chambers, Mary Anne V.	Levac, Dave	Tascona, Joseph N.
Chudleigh, Ted	Marchese, Rosario	Tory, John
Churley, Marilyn	Marsales, Judy	Van Bommel, Maria
Colle, Mike	Martel, Shelley	Watson, Jim
Cordiano, Joseph	McGuinty, Dalton	Wilkinson, John
Craitor, Kim	McMeekin, Ted	Witmer, Elizabeth
Delaney, Bob	McNeely, Phil	Wong, Tony C.
Di Cocco, Caroline	Meilleur, Madeleine	Wynne, Kathleen O.
Dombrowsky, Leona	Miller, Norm	Yakubski, John
Duguid, Brad	Milloy, John	Zimmer, David
Duncan, Dwight	Munro, Julia	
Flynn, Kevin Daniel	Oraziotti, David	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 73; the nays are 0.

**The Speaker:** Be it resolved that the bill do now pass and be entitled as in the motion.

## LEGISLATIVE PAGES

**The Speaker (Hon. Alvin Curling):** Before we ask for the famous question period, let me just take the opportunity to thank these wonderful pages. This is their last day.

*Applause.*

**The Speaker:** They also assured me that the best way to give them a nice farewell is for us to conduct ourselves in the best parliamentary manner today, especially in question period.

*Interjections.*

**The Speaker:** So the first word I say is, "Order." I will hear silence, and then I will say, "Oral questions." The leader of the official opposition.

1420

## ORAL QUESTIONS

## HYDRO GENERATION

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. Promise number 32 that you made during the last election—I distinguish that from broken promise number 32; this is promise number 32—was, "We will shut down Ontario's coal-burning power plants by 2007."

We're a year and a half away from 2007. Do you still stand by that promise?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Let me say that we have made some tremendous progress with respect to our plan to shut down coal-fired generation. Notwithstanding the Conservative government's addiction to coal-fired generation, we believe the quality of our air and the number of admissions to our hospitals of people who have been affected by poor quality air is something that is of a high priority. Just recently, I'm proud to say, we shut down the Lakeview coal-fired generating station. That is the equivalent of taking 500,000 cars off Ontario roads. So we've started, and there is more to do.

**Mr. Tory:** I'm sure the Premier just forgot to indicate that that closure was initiated by the member sitting beside me here today, Mrs. Witmer. The addiction we had was only to sound planning and actually to doing what we said we would do when we were in government.

Premier, last Saturday an article ran in the Sarnia Observer, quoting none other than the Liberal member for Sarnia-Lambton. Here is what Ms. Di Cocco is quoted as saying about the coal-fired plant in her riding: "Lambton generating station may be needed anyway after 2007 in whatever state it's in if we don't have the kilowatts." She goes on: "The date of 2007 is a goal, but I also know things happened on the way to the forum," whatever that means.

Who should the residents in Sarnia-Lambton believe, you or the local member?

**Hon. Mr. McGuinty:** This gives me an opportunity to speak to Ms. Di Cocco and her unwavering commitment to a clean and safe environment for the people in her community and the people throughout Ontario.

I will allow the final supplementary to be turned over to the Minister of Energy, because I know that shortly we will be releasing our detailed plan with respect to eliminating coal-fired generation in Ontario.

Let me tell you why it is so important that we commit ourselves to this together and that we be ambitious in this regard. We have commissioned a report recently. I don't have the exact numbers at my fingertips, but it commented specifically on the number of people being admitted to our hospitals. It talked about the number of people who are being affected by an illness that is induced by poor quality air. It talked about the economic costs connected with failing to close coal-fired generation. So we are determined, on behalf of the people of Ontario, to move aggressively to shut down coal-fired generation in the province.

**Mr. Tory:** I'll address the final supplementary to the Premier, even though he's indicated it's going to be answered by the Minister of Energy. It's so much more fun when the Premier answers the questions.

All this does sound like the breaking of another McGuinty promise. We had the admission from the very same Minister of Energy last December 2 when he said that "it may be prudent to keep one or more of the" coal plants "on reserve," past 2007. Now we have the member for Sarnia-Lambton, this great advocate for a clean environment, as the Premier said, saying that 2007 is only "a goal."

May I ask you, Premier, what is the specific date on which we can have the detailed plan that will specify the dates and the times when these plants will be closed and where the power is going to come from to replace them? When are we going to see the plan with the specifics?

**Hon. Mr. McGuinty:** To the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** The plan is well underway. Our coal consumption is down, the last time I checked with the ISO, from 25% last year to 16%. That's an enormous drop. Maybe you can't understand the plan to close coal plants, because here's what you've said to the same Sarnia newspaper: "The elimination of coal-fired plants is a good goal." Then you said that coal can't be ruled out. You said that to the Sarnia Observer. Then you said, "I don't know how you could rule coal in or out."

We've ruled coal out. We are moving to achieve our goal according to the time frames we've laid out, and we will meet those goals in a responsible and prudent fashion in a way that you, sir, nor your party, never would have.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order.

**Mr. Tory:** People will find that bluster particularly reassuring when the brownouts and power shortages take place in 2007.



## COMMUNITY HEALTH SERVICES

**Mr. John Tory (Leader of the Opposition):** I have a new question for the Premier.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. I had a promise, I thought, that you were going to conduct yourselves in a good parliamentary way.

*Interjections.*

**The Speaker:** Order—that you'd conduct yourselves in a better parliamentary way.

Now the new question from the leader of the official opposition.

**Mr. Tory:** A question again to the Premier: Premier, as you make way for your new regional health bureaucracies, all of the district health councils were shut down on March 31 of this year. My question is simple: How many people were laid off from the Ontario district health councils, and how much did it cost taxpayers to fund their severance?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I don't have the specific details at hand for that kind of a question, but I can undertake to provide some further information to the member opposite.

But I can tell you something: that we are proud of the transformation that we're bringing to health care in the province of Ontario, proud of the additional investments we're making in public health care and our medicare system for the people of Ontario. I know the people of Ontario are somewhat concerned about Mr. Tory's plans to take \$2.4 billion out of Ontario's health care system.

We are committed to the system. We are committed to bringing about the kinds of transformative changes that will result in shorter waiting times, more doctors, more nurses and better quality of care for all Ontarians.

**Mr. Tory:** I know you keep saying that, I say to the Premier, hoping that it might actually become true.

Having said that, I would say to the Premier that this is an issue you should be familiar with, because your government reaffirmed its commitment to regional health care bureaucracies on page 8 of the budget delivered just last week. In fact, the government has been advertising and recruiting for the senior positions in these new bureaucracies for months now. Presidents and directors have been sought and appointed by you. Many of them are being reviewed at the present time by legislative committees.

I wonder if the Premier could share with us how much it cost to search and recruit these appointees of yours. What was the total cost of that to the taxpayers? Maybe you could add that to the request with respect to severance and the layoffs in the former district health councils.

**Hon. Mr. McGuinty:** Let me tell you about some of the numbers that I think are particularly important for the people of Ontario.

Since taking office, we've invested an additional \$4.8 billion in health care. This year's budget provides for \$1.8 billion, including \$500 million more for our hospi-

tals. We are investing more in hospitals; they shut down hospitals. We are increasing MRI exams by 20%, cataract surgeries by 13%, cardiac procedures by 8%, hip and knee replacements by 16%. It would seem to me that those are the kinds of numbers that Ontario families have a real interest in.

**Mr. Tory:** I find it fascinating that the Premier can recite all of these numbers, and yet when I make two simple requests for information about the cost to the taxpayers of laying off dozens and dozens of people and hiring on dozens more, many of them paid \$200,000 a year or more, you are utterly unable to give us any of those details.

You've made 42 appointments so far, many of them being paid in excess of \$200,000 apiece. Anyway, be that as it may, it is really much more fun when the Premier takes questions. One day he might actually answer one.

Here's one more. I'll try one more time. It has been indicated there's going to be legislation with respect to these LHINs. There is no legislation before this house, no direction from your government and no sense of really any idea as to what you're doing that could be debated by this Legislature. Could you tell me when your minister or your government will be bringing legislation before this House that will set out what the LHINs are going to do, what they're going to cost, how they're going to be set up and those details which I think this Legislature and the public have the right to know? When will we see that legislation?

**Hon. Mr. McGuinty:** That kind of legislation will be introduced in the fall. I think it's important for all of us to remember and compare and contrast our commitment to public health care in the province of Ontario with the record of the former Conservative government. As indicated earlier, we are investing billions more in our health care system, producing shorter wait times, more doctors, more nurses and better localized delivery of health care. Under the Tories, we went from 63 underserved communities in Ontario to 142. The former government spent \$400 million to fire thousands of nurses and compared Ontario nurses to Hula Hoop workers. They cut \$557 million out of Ontario hospitals over two years; they closed 28 hospitals and 5,000 hospital beds. Again, I remind the member opposite and all Ontarians that if they had their way, they would take at least \$2.4 billion out of Ontario's health care system, resulting in more hospital closures, more nurse layoffs and fewer doctors in Ontario.

1430

ONTARIO DISABILITY  
SUPPORT PROGRAM

**Mr. Howard Hampton (Kenora-Rainy River):** I want to ask the Premier about the fiscal gap that the lowest-income Ontarians are facing: the gap between what disabled people receive from your disability support program and what they actually need just to make ends meet. For example, the average rent for a two-bedroom

apartment is \$866 a month, but your disability support program provides a monthly shelter allowance for a disabled parent with two children of only \$729, \$150 a month short of what is needed. Before the election, you promised to increase disability support program benefits to match the cost of living every year. That didn't happen in your budget. Premier, what happened to your promise to the lowest-income Ontarians?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The leader of the NDP tells us—well, he certainly indicates by the tone of the question—that he has a sincere desire to help out Ontario's most vulnerable, which leads me to ask why it was that his party voted against our budget. Amongst other things, it brings better student assistance to 135,000 students; for the first time in 10 years, it brings grants to 32,000 low-income students; it invests in over 4,000 new child care spaces; it invests in over 15,000 new units of affordable housing and 5,000 rent supplements. It would seem to me that if the leader of the NDP were truly committed to helping Ontario's most vulnerable, then at a minimum, he would be supporting our budget.

**Mr. Hampton:** Here's the reality for somebody who's disabled and trying to live on your Ontario disability support program. If you factor in the cost of inflation with the cuts to their income, they are now 37% behind, and you promised that you were going to increase their benefits according to the cost of living.

But there's another gap, the gap between how much disabled parents are supposed to receive from the national child benefit supplement and how much you actually let them keep. A disabled parent with two children should receive an additional \$2,800 a year from the federal government to help her or him look after their kids. Instead, the best they can hope for is \$280 a year, because you claw back the rest of that \$2,800. Before the election, you said you were going to end the clawback; you said you were going to stop taking money from the lowest-income kids in Ontario. In your budget you didn't do that. What happened to your promise to the lowest-income kids in Ontario, Premier?

**Hon. Mr. McGuinty:** I'm not sure that the leader of the NDP thoroughly read our budget, because in the budget we are increasing national child benefit supplements directly to parents. On top of last year's increase, this means \$36.7 million directly to families in need. That works out to \$507 per year for a family with two children. That may be something the member opposite may be prepared to dismiss as not being meaningful, but we happen to think that \$507 per year for a family is pretty significant. Of course we are prepared and looking forward to doing more, but that is simply another one of our budgets.

Beyond that, let me say we have been increasing the minimum wage. We have done that twice so far. We've made changes to our welfare system to make it easier for people to move from welfare to work. We have increased rates for social assistance and disability, and that was the first time we had an increase in this province in the past 10 years.

Is there more to do? You bet there is. There's always more to do, and we believe that we set out, given our financial constraints, in a very positive direction.

**Mr. Hampton:** The Premier talks about financial constraints. I don't see any evidence of financial constraints in terms of your willingness to pass along a further 5% or 6% or 7% to Bay Street financiers.

But let me deal with another promise. Last year at this time, your Minister of Community and Social Services boasted after raising ODSP rates by a paltry 3%. She said, "We promised to raise welfare and disability rates, and we kept our word....We are finding a way to help people in need." Another quote: "I will repeat the McGuinty commitment during the last campaign: an increase to the ODSP and welfare rates to match the cost of living. That is what we will implement." That's what you said.

Premier, we looked at your budget. There was no cost-of-living increase for people trying to survive on social assistance or on the Ontario disability support program. What happened to your promise? What happened to your minister's promise to the lowest-income Ontarians?

**Hon. Mr. McGuinty:** To the Minister of Community and Social Services.

**Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues):** Let me be clear. Last year, when COLA was at about 1.5%, we brought in a 3% increase to people on disability. I want to remind this House that yesterday, we were on our feet raging about \$41 million going into developmental services, all of those individuals being on ODSP; that NDP party panned that investment to help our most vulnerable people. And why is it that last September, when people on Ontario disability, our individuals who have developmental disabilities, saw a \$110-million investment and growing supports for that sector, that party panned that announcement as though we weren't doing right by people on disability? This is the government that increased by 3% the monies that go to shelters. We increased by 3% all of our homeless agencies. We added \$2 million to our homelessness programs. We restored the pregnancy allowance for people on welfare, eliminated the lien on houses. Those are the kinds of initiatives that that party voted against.

## LOW-INCOME ONTARIANS

**Mr. Howard Hampton (Kenora-Rainy River):** The Minister of Community and Social Services might like to know that what we pointed out is that you are not keeping your promises.

To the Premier: You used to talk about Ontario as a family. You used to say, "In a family, nobody gets left behind." "I see Ontario as one big family. If some are in trouble, I think we all have a responsibility to help." "As Liberals, our focus is to ensure that we all are moving forward together."

Premier, your budget has been very kind to Bay Street financiers while it leaves hundreds of thousands of the



lowest-income Ontarians behind. Your budget failed to provide even a modest cost-of-living increase to Ontario's lowest-income citizens. I ask you again, what happened to your words about a family where no one gets left behind? Were they insincere?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The leader of the NDP just can't have it both ways. When we introduced a bill that would roll back corporate tax cuts, the leader of the NDP and that party would not support that bill. He decided he was going to stand up for Bay Street, he was going to stand up for the financiers in Ontario. He was the one who was there as the champion of capitalism—right there, the leader of the NDP. Just so we understand that the leader of the NDP can't have it both ways.

1440

It has become patently clear that we could never, ever do enough to satisfy the NDP. But we're not directing our policies toward satisfying the NDP. What we're doing is the best we can for the people of Ontario. He may not think grants for 32,000 low-income students are a worthwhile enterprise; we think it's a very important thing to do. He may not think that better student support for 135,000 young Ontarians is a good thing to do—he may not think it's enough—but we think it's a very important thing to do.

**Mr. Hampton:** This is not about satisfying the leader of the NDP. This is about Premier Dalton McGuinty keeping the promises he made to the lowest-income Ontarians and the lowest-income kids in Ontario.

Premier, last year the Minister of Community and Social Services said, "Our government refuses to balance its books on the backs of the poor.... After years of neglect, Ontario's social assistance recipients are finally being treated with the dignity and respect they deserve. This is the change Ontarians voted for." But this year she's eating her words. When she was asked why you have broken your word to increase the cost-of-living allowance for the lowest-income Ontarians, she couldn't answer. The entire, all-in cost of raising ODSP benefits to the cost of living would be \$40 million. But you wouldn't find \$40 million. You received billions in unexpected new revenue, but you couldn't find \$40 million for the lowest-income Ontarians. What happened to your promise, Premier?

**Hon. Mr. McGuinty:** There's at least one fallacy in that lengthy question: The leader of the NDP said that the Minister of Community and Social Services didn't have an answer. I have never in my life known her not to have an answer.

The leader of the NDP may be dismissive of the efforts we are making, but we are convinced that we're setting out in the right direction—there is always more to do. Again, I'll list some of those things: over 4,000 new affordable child care spaces; 15,000 new units and 5,000 rent supplements. We're increasing the minimum wage; it's on the way to \$8 per hour. We're making changes to welfare to make it easier for people to make the transition to work. We've established a \$10-million rent bank.

We're improving community support services for seniors and the disabled and expanding community health programs to reach 79,000 more Ontarians. I contrast that with the fact that the NDP, on their watch, cut mental health funding by more than \$65 million.

**Mr. Hampton:** The Premier talks about answers. What we're hearing are excuses. I want to recite the promises again, Premier. You promised to stand up for the average Ontarian. Instead, you ignored them in your budget. You promised to raise disability support plan payments. In this budget, you froze them. You promised to freeze hydro rates. You've raised them by 34%. You promised to stop the clawback of the national child benefit from the lowest-income children. You haven't done that. You promised not to raise taxes, but you hit modest- and middle-income Ontarians with a very regressive and unfair health tax.

You said you wanted a province in which the strong looked out for the weak, the privileged helped the disadvantaged and no one was left behind. But in this budget, you've virtually ignored the lowest-income Ontarians. What happened to your promise, Premier? You had a lot of new revenue in this budget, and you forgot all about the lowest-income children and the lowest-income Ontarians. What happened to your promise?

**Hon. Mr. McGuinty:** We have done more for Ontario's vulnerable in the last two years than has been done in the previous 10, and we are prepared to stand up and take a little bit of pride in doing that. There's always more to be done. The leader of the NDP may feel that this is not enough from his perspective. But we think—in fact, we're confident—that we are moving in the right direction.

We think that providing grants for 32,000 low-income students is a good idea. We think that better student support for 135,000 young Ontarians is a good idea. We think that 4,000 new child care spaces is very helpful. We think that 15,000 new affordable housing units is a good thing. We think that increasing the minimum wage for the people of Ontario is a good idea. We think that our \$10-million rent bank is an important innovation. We think that providing for improved community support services for seniors and the disabled is a very good thing. We've done more in our limited time on the job than has been done in the previous 10 years, and we're prepared to put that record, in terms of our debut as a government, against any former government in this province.

#### ADOPTION DISCLOSURE

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Premier. Yesterday, the privacy commissioner, Ann Cavoukian, appeared before the committee on social policy to express her concerns and the concerns of hundreds of birth parents and adoptees about your plan to retroactively change adoption legislation to unseal adoption records. She said that the bill was a serious breach of privacy for women who fear reliving the trauma of giving up a child for adoption and worry

about such potentially life-changing disclosure of their records. Ms. Cavoukian urged that the bill be amended to give birth parents and adoptees a disclosure veto, as has been done in every other Canadian province. Premier, will you consider the concerns that have been expressed and take the privacy commissioner's advice to allow for a disclosure veto?

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** To the Minister of Community and Social Services.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** As you know, our government spent many months in the development of this adoption bill. It wasn't new territory for any of our parties, because for the last 10 years, this House has voted on this bill. In fact, the bill that had been voted on for many years in this House was a bill that included no disclosure veto. However, we understand that when the government comes forward with a bill, it is seen more seriously. So we've very much appreciated the opportunity that we've had yesterday and again today with our bill in hearings right now, and we are listening to people. Many of these individuals are people who have contacted us directly as a government, and have contacted both parties in opposition, to speak to us about what their issues are. I can tell you that overwhelmingly people are very supportive of the bill. We are, however, concerned about some of the fears that people have, and we have said that we are prepared to listen. I can tell you that retroactivity is in fact the cornerstone of this bill.

**Mrs. Witmer:** I hope that the government will reconsider and I hope they will amend the bill. I hope they will take into consideration the letters and portions thereof that were read into the record yesterday by the privacy commissioner. She talked about an individual who, in one instance, said, "I was raped at the age of 17 ... I became pregnant after that and gave up the child for adoption ... it would be a nightmare for me to have to face this whole situation...."

"I've been suffering from depression my whole life, having to hide this from my family and ... I'm afraid that I would just simply go in the garage and shut the garage door and block the exhaust in my car and end my life over this."

I can tell you that this is only one of hundreds of letters that the privacy commissioner has received, that we as members have received, and I would ask the government again, I would ask the Premier, will you please listen to the pleas of the adoptees and the birth mothers about their concern and the potential for harm to the lives of these individuals?

**Hon. Ms. Pupatello:** As the member opposite knows and everyone in the House understands, we have diligently looked at all of the angles of this bill. What we have presented in this House is a bill that has safeguards; it is a bill that protects people. I need to contrast that with what we have currently in society: a very high level of technology—Web sites, the Internet—where there are no

safeguards for people, where that fateful phone call is happening today in the absence of any opportunity for protection of identity. What we are doing today is saying that that fateful phone call can't happen. We need a bill that puts in a provision of no-contact. In extreme circumstances, potentially such as the member opposite has mentioned, we have struck the opportunity for a board to be operable that would be presented with the case. In those circumstances, I believe that we really need to have hearings on this bill. That is the point of it. I can tell you that the shenanigans viewed by opposition yesterday at committee were completely unhelpful. What is helpful is we have time to—

**The Speaker (Hon. Alvin Curling):** Thank you.

1450

## ENVIRONMENTAL LEGISLATION

**Ms. Marilyn Churley (Toronto-Danforth):** I have a question for the Minister of the Environment. Minister, your flagship environmental legislation has suffered a Kinsella collapse. Why have you allowed Liberal insider Warren Kinsella and his coalition of Ontario's biggest polluters to water down your spills bill, Bill 133?

**Hon. Leona Dombrowsky (Minister of the Environment):** Well, to say that I disagree with the honourable member would be an understatement. I would say that with the bill as presented, and the bill we are working on with the amendments, we are prepared to entertain the suggestions that have come from the deputants we heard from, and we are entertaining the amendments from the third party and from the government. We are actually doing that this afternoon, so I would suggest that without having seen the amended bill, it is absolutely premature for the honourable member to come into this House and make that kind of a statement.

**Ms. Churley:** Well, Minister, your government's amendments to be introduced today in committee include reducing the liability for directors and officers of polluting companies under the Environmental Protection Act and reducing crucial protection for our water supplies.

Minister, if you want to keep your promise on this legislation, you are going to have to stand up to the province's big polluters and immediately withdraw your amendments to the spills bill. Will you do that?

**Hon. Mrs. Dombrowsky:** The member should review those amendments very carefully. I think she would find that the government amendments reflect requests that have been made by the many deputants that I believe strengthen the bill, and some of those are in fact similar, if not the exactly the same, as some of the amendments that have been offered by the third party. So I would say that as they go through clause-by-clause today, and members of all three parties have an opportunity to review the amendments that are put on this very important piece of legislation, it will be evident that the amendments the government is bringing forward are amendments that reflect that we have listened to the deputants and we



continue to want to bring the very best and soundest environmental protection legislation for the people of this province.

### TORONTO LEGISLATION

**Mr. Mike Colle (Eglinton–Lawrence):** My question is to the Minister of Municipal Affairs and Housing. Minister, our government is working with municipalities, not against them, unlike the previous government. We have delivered on our commitment to provide municipalities with a share of the provincial gas tax for the first time in Ontario's history. We are committed to rural infrastructure investment under COMRIF, and we have created a fair municipal grant allocation system, unlike the downloading of the previous government.

Yesterday, your ministry and the city of Toronto released a progress report that detailed—these progress reports are very important, and they have been worked out in co-operation with provincial and city officials. They have made various recommendations for a new legislative framework for Toronto. Minister, could you please outline for my constituents and for all Torontonians why this report is so significant?

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I thank the member very much for the question and for the outstanding work that he does on a continual basis for the city of Toronto and the people of Ontario. Yes, he is correct that the progress report released yesterday was from the Joint Ontario–City of Toronto Task Force review of the City of Toronto Act and related legislation. The report represents a commitment by both this government and the city to build a stronger Toronto for a stronger Ontario. As Mayor Miller said yesterday, “It is groundbreaking. People will look back on this report as a historic turning point for the future of Toronto.”

In particular, the report describes the broad, permissive nature of powers that the city could be granted under the new act. City and provincial staff continue to work out the details of the new act, which will be ready later on this year. We know that a strong Ontario needs a strong Toronto.

**The Speaker (Hon. Alvin Curling):** Supplementary, the member from Ottawa–Orléans.

**Mr. Phil McNeely (Ottawa–Orléans):** Minister, it is great to hear of the development that provincial and city officials have made in establishing recommendations for a new legislative framework for Toronto. Other municipalities outside Toronto are watching with interest and wondering, “What does this mean to us?” Clearly our government is listening to municipalities and respecting the importance of local government to Ontarians. My own city of Ottawa is asking me what implications the city of Toronto process will have on us in Ottawa.

**Hon. Mr. Gerretsen:** I want to compliment that member on speaking strongly for the city of Ottawa on a continuing basis, as well as the people of Ontario.

In addition to recognizing that the City of Toronto Act review is in process and is of interest to all Ontario municipalities, you may recall that in June last year a review of the Municipal Act, 2001, was initiated by the Premier and myself. Phase one of the review is now complete, and we have received more than 80 different submissions with suggestions for changes to the act. We are now focusing on the next phase of the review and analyzing the identified issues with the help of AMO, the other municipal stakeholders and business stakeholders as well. We are looking at both legislative reviews with a similar approach as we are to the City of Toronto Act.

With respect to your city of Ottawa, the Premier has offered to work with the city of Ottawa on proposed amendments to the City of Ottawa Act. We look forward to hearing from the city, and we will be dealing with that act as well.

### JUSTICE SYSTEM

**Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford):** My question is for the Attorney General. Earlier this week, you stonewalled questions in the Legislature about problems in Small Claims Court by hiding behind a lawsuit. That lawsuit was initiated by the Ontario Deputy Judges Association in December 2004 and there is a court date fixed for June 10. As it turns out, you have stonewalled on that, too. As Attorney General, you have not filed any response. All the deputy judges can get out of the Attorney General's lawyer Janet Minor is that she has not received instructions from her minister and that she wants to adjourn it. You are hiding behind a lawsuit you have ignored for the last six months. Attorney General, when are you going to stop your stonewalling and get the deputy judges' application heard?

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** As the member knows, to engage in some negotiations or discussion with respect to a piece of litigation in this House is totally inappropriate and amounts really to an attempt to ask me to abuse a process that is before the courts and that has been initiated, as the member says, by the Ontario Deputy Judges Association.

I have said before, and I will say again, that many excellent lawyers from across the province of Ontario, on average about three times a month, agree to serve as a deputy judge in Small Claims Court. I'm grateful for that public service that they engage in. Some members of this Legislature are former deputy judges. They understand the issue very well, and I understand the issue very well. As for the matter that's before the courts, I say again to the member, it's before the courts.

**Mr. Tascona:** Those court proceedings, Attorney General, were brought by the Ontario Deputy Judges Association. The judges who walked out in Toronto almost three weeks ago are members of the Toronto Deputy Judges Association, a completely different organization. The minister's statement that he cannot talk to the Toronto Deputy Judges Association because of the

lawsuit is complete nonsense, and the Attorney General knows it.

Ontario has a system of mandatory mediation and everyone in a lawsuit has an obligation to try and settle it. Most of the work done by deputy judges in Toronto is presiding over settlement conferences. The Attorney General should be doing what every other lawyer is supposed to do and try to settle this dispute. When will you start talking to these deputy judges in Toronto—that's all they've asked for—so they can get back to the courthouse and the people of Toronto can get their own conflicts resolved?

1500

**Hon. Mr. Bryant:** The member's characterization of the facts I am afraid is not quite on. Yes, I did receive a letter from a group of deputy judges who said that if I don't cave in on their application and meet with them, they will walk out of the courts and not serve. It has turned out that what has happened is that the Small Claims Court continues to operate with either zero disruption or very minimal disruption, and the Chief Justice has done her usual excellent job in ensuring that the court functions appropriately.

There are 386 deputy judges in this province, 386 lawyers who act as deputy judges from time to time. They perform a great service. They do it out of public service. I note that the member is talking about how much they are paid. While his government was in power for some eight and a half years, of course, they did not once make any changes to how much deputy judges were paid, because at the end of the day, these lawyers do it on a volunteer basis, and I thank them for it.

#### OFFICE OF THE REGISTRAR GENERAL

**Mr. Howard Hampton (Kenora-Rainy River):** I have a question for the Minister of Consumer and Business Services. Eight months ago, I asked you about the difficulties that people living on a First Nations reserve were having in terms of getting a birth certificate. Today, I'm sending you a letter from Sandy Lake First Nation, where they have over 85 children in their community who cannot get a birth certificate. They're asking you, as I asked you last fall, to simplify the birth registration process. It's creating all kinds of health care difficulties and financial difficulties, not to say embarrassment, for Aboriginal people that your registration process literally pulls them through the keyhole and causes years of delay in getting a birth certificate. Are you going to respond to these First Nations, especially these children, who can't be registered as persons in Ontario or persons under the Indian Act because of your delays?

**Hon. Jim Watson (Minister of Consumer and Business Services):** I do recall very vividly the question that the honourable member raised with respect to having chiefs act as guarantors. In fact, just a few days after the member raised that question, I did write to Chief Fox. I've met with him on two occasions, because we need the chiefs' concurrence in order to bring forward this process

to put them on the list of guarantors. I'm quite prepared to do that; I'm just waiting to hear back from the chiefs. The moment I do hear back from them, I'd be pleased to add them on as equal representatives, similar to mayors and other individuals that are accepted by the Office of the Registrar General.

**Mr. Hampton:** Minister, I don't think this is the responsibility of chiefs. You are the minister. Eight months ago, I told you that people living on reserve were being discriminated against. Because Sandy Lake is a fly-in community, they literally would have to fly to Red Lake or Sioux Lookout to have someone guarantee their birth registration application. They can't do that. As a result, children can't be registered under the Indian Act, so they're denied medical benefits that come as part of the treaty obligation. It means that children who are one year old who have to go to Winnipeg or Sioux Lookout to see a doctor aren't covered under Aboriginal health benefits. It means the parents are ending up with medical bills in the thousands of dollars. Why? Because your government refuses to deal with the situation in terms of these birth certificates.

This First Nation is asking you, other First Nations are asking you, when are you going to move to deal with this situation so that they don't face this kind of discrimination and they don't have to wait years to get a birth certificate?

**Hon. Mr. Watson:** As I indicated in my first answer, I'm quite prepared to move on this but I need the support of the chiefs. They have to come together and they have to agree to follow the procedures that every other guarantor follows in order to allow me, as the Registrar General of Ontario, to ensure that their names are placed on the birth certificate guarantor list.

It's quite simple. As I've indicated, I've written at least once, if not twice, to the chief. I've talked to him as recently as, I believe, two weeks ago, when they were here at the Legislature. He has expressed his support and he is trying to get the other chiefs to agree. The moment they reach a consensus, I'd be pleased to add their names to the guarantors' list.

#### STUDENT DROPOUT RATE

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** I would like to pose a question of the Minister of Education. First of all, Minister, I would like to congratulate you on your announcement the other day of the \$158 million allocated to the student success program. This is an exciting initiative that works to improve the unacceptable dropout rate that has plagued our schools.

Since the poorly implemented curriculum change introduced by the opposition, our high school dropout rate has increased dramatically. This government is addressing serious challenges in our schools. You have taken bold new steps to make education relevant for struggling students. Last year you funded over 100 programs to create a more successful environment for students. Your continuing efforts to improve the future of



our children have not gone unnoticed. Minister, how will your efforts in the student success program help those struggling students?

**Hon. Gerard Kennedy (Minister of Education):** I thank the honourable for her question. This is not something I have any illusion that the Ministry of Education can accomplish. In fact, it is going to be accomplished by the parents and the teachers in each individual school.

We have a challenge. One of the toughest legacies for all of us is that the dropout rate increased under the reforms of the previous government from 22% of students not achieving a diploma to 30%. We're determined to drive that back to a success rate as quickly as possible.

The student success program that we've announced will see a special teacher, a student success teacher, in every school in the province, who is charged with the responsibility to make sure that we don't let students slip through the cracks. We will have individual plans for them to make sure that they can catch up and get the credits they require. As well, the classes they require will be smaller and they will have more attention. We'll make sure that the curriculum is a match, that they will take more math, have more courses and, generally speaking, have more learning than in the last number of years.

**Mrs. Van Bommel:** It's very encouraging to know that you've taken concrete steps and are moving forward to improve student success in our secondary schools.

Not all students plan to go on to university. We need to make sure that the trades and other various technological programs are promoted and understood to be extremely viable options for young people. My own son has made a great success of his career starting as a tool and die maker.

Success is achieving excellence in whatever one chooses to do, and that is why I applaud the student success program. It will allow struggling students to help find their own excellence and become the success that they can see in the world. However, struggling students are not the only ones who need help. How will your new initiatives create opportunities for all students?

**Hon. Mr. Kennedy:** Just before I answer the direct question, I want to say that the member's son and others who become tool and die makers are actually making more money four years after training than university graduates are. We need to adjust and amend some of our outlook. We want to see more of them going to university, we want to see more of them going to college, but we also have got to shift and change the channel on an attitude that says there isn't a great destination in apprenticeships or work placement with training.

A significant number of the 1,300 new teachers who are going to report for duty this September—some 400 of them—will just help in general the quality of education in our high schools. We'll bring back library and guidance. We'll bring back lower class sizes in a range of subjects to make sure that our students, who need to be able to compete to get into universities, to get their full education, won't get lost in the crowd. They too will have a better chance of being successful.

We look forward to our high schools, in an atmosphere of peace and stability, delivering the education advantage that every single one of our students deserves and needs to have.

## PLANT CLOSURE

**Mr. Ted Chudleigh (Halton):** I have a question for the Minister of Economic Development and Trade, who was here a few minutes ago.

*Interjection.*

**Mr. Chudleigh:** Perhaps I'll redirect it, then, to the Premier. Nestlé is one of the top three food producers in the world. They have recently announced that they will be shutting down their operations in Chesterville. This will leave about 300 people out of work in a town of 1,600 people. This is certainly going to have a devastating effect on the town of Chesterville.

This comes in the wake of the loss of the Bombardier deal to Quebec, with a weak offer from your government, that saw 2,500 jobs and an additional 2,500 spinoff jobs land outside the province. What do you have to say to the soon-to-be-unemployed people of Chesterville?

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** To the Minister of Economic Development and Trade.

**Hon. Joseph Cordiano (Minister of Economic Development and Trade):** With respect to the particular plant, there is a labour adjustment council that's going to be put in effect to deal with the affected workers. Of course, we feel for the loss of those jobs. By the same token, our economy is performing extremely well. We have an unemployment rate which is at 6.8%; 26,000 new jobs were created in the month of April. Since we've been the government, 146,000 new jobs have been created in this great province. The economy is on a roll. Things are going really well.

1510

**Mr. Chudleigh:** The economy isn't performing very well in the town of Chesterville. Your answer, of course, always has a bit of bluster to it, but there's never any meat. The people of Chesterville aren't interested in your bluster; they'd like an answer. People in Chesterfield are soon going to be without a major employer. Your tax-and-spend policies are not working.

Under the last Liberal government, Ontario watched Nestlé close down their Libby, McNeil and Libby plant in Chatham in 1989. It appears Liberal governments are a little tough on Nestlé.

The word is getting out: Liberal Ontario is not an industry-friendly jurisdiction. Jobs are leaving Ontario. All bluster; no meat. Tell the people of Chesterfield, where is their next meal coming from?

**Hon. Mr. Cordiano:** I would correct the member: It is Chesterville that you're talking about, not Chesterfield.

What utter nonsense. We've had a major vote of confidence in this province: the great deal that we've brought forward with respect to the investments made by Ford, which, by the way, we announced was \$1 billion

dollars; it has actually been upped to \$1.4 billion because there are additional suppliers involved. Need I remind you of the GM deal, which saw \$2.5 billion invested in Ontario—great for our post-secondary institutions right across this province—creating research and development and adding value in terms of more engineering and more design? When I look at the breadth and scope of the economy of this province, it is increasing in terms of the number of opportunities that are out there for people. I remind the member that in our budget we have highlighted the most important thing: ensuring that we have a highly skilled, highly educated workforce. We're investing in that, because that—

**The Speaker (Hon. Alvin Curling):** Thank you. New question.

#### HIGHWAY 406

**Mr. Peter Kormos (Niagara Centre):** A question to the Minister of Tourism: Will the minister please explain the importance to Niagara's economy, including tourism, of the four-laning and extension of Highway 406?

**Hon. James J. Bradley (Minister of Tourism and Recreation):** I would defer that question normally to the Minister of Transportation of the province of Ontario, but of course I know that many highways, roads, airports and railways are exceedingly important to the field of transportation and the field of tourism. Many people come to various parts of Niagara using the Queen Elizabeth Highway, using the railroads that we have. Some fly in. Some will come across, for instance, on the ferry, whenever there's a ferry boat there. I consider every roadway that I know of to be of some significance in terms of the promotion of tourism in the province of Ontario.

**Mr. Kormos:** Will the minister please confirm his government's commitment to the four-laning and extension of Highway 406, in view of its considerable relevance and importance to the tourism economy in Niagara?

**Hon. Mr. Bradley:** As I say, I wouldn't want to discriminate against one roadway over another, because my friend who represents Erie—Lincoln would say that he has highways within his area that he would consider to be exceedingly important. I have within the city of St. Catharines—as you know, at this time, the highway is being widened through the city of St. Catharines in a major multimillion-dollar project. On the Queen Elizabeth Highway, all along to Niagara Falls, there's all kinds of activity taking place, which enhances the tourism experience in Ontario.

I would be delighted to see all of our highways proceeded with as expeditiously as possible and within the framework of fiscal responsibility that I know the member would insist upon with this government and with other governments. I will be happy to share his views and my views with appropriate ministers, to ensure that they are well aware of the impact that four-laning of a highway such as Highway 406 can have in a particular jurisdiction.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Jeff Leal (Peterborough):** This afternoon, I have a question to the Minister of Community and Social Services. It's an important question for Community Living Peterborough and for community living organizations right across the province. Yesterday we learned of a new investment to the tune of \$41.1 million that you're making in the developmentally disabled services sector. This announcement will see the establishment of four community networks of specialized care.

Many individuals who have a developmental disability also have to deal with mental health issues and challenging behaviours, many of which seriously affect their quality of life. They often need extra support to cope with eating disorders, psychiatric illness or behaviour that leads them to hurt themselves or others.

These four regionally based networks will improve the way specialized care is delivered across the province. The networks will provide service, training and teaching. A portion of your announcement also provides funding for staff recruitment and retention. The third component of the announcement creates 390 new homes in the community for those with developmental disabilities. Minister, can you expand upon—

**The Speaker (Hon. Alvin Curling):** Thank you. Minister?

**Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues):** I think the best thing about this question is that it really shows that that particular member is deeply rooted in his own community and is a huge proponent for people with developmental disabilities living in their communities. That's why he is so supportive of this plan that we unveiled yesterday: four networks across Ontario, covering all regions, that deal with specialized care for people.

We know there is expertise right across the province, but what we haven't had is that coordinated highway, so that all those agencies can get access to where those services are. We are working on that, and we are pleased with the result so far, that people in lead agencies will be linked up: things like our interactive videos, for example, where our specialists in Toronto help our people in Wawa. It is a tremendous opportunity for us to enhance specialized services for people living in their communities.

**Mr. Leal:** As this House is aware, governments of all political stripes have committed to the closure of the remaining three institutions. It started during the Peterson years and went through the Rae years to the Harris years to the Eves years. This government, since announcing the closure date, has been working tirelessly to make the transition of these residents seamless. We've learned that individual plans are being developed to ensure that each resident need is met. This includes input from staff, families and, where appropriate, the residents themselves. Yesterday's announcement addressed the needs of those already in the community. What is this government doing



to address the needs of the 1,000 people who will be moving to the community from the remaining three institutions over the course of the next five years?

**1520**

**Hon. Ms. Pupatello:** I very much appreciate the opportunity. People in the community who have children with developmental disabilities, who have always kept their kids at home, who have always needed support—those parents, in many cases today, are in their late 70s, their 80s or their 90s, and need help. Yesterday's announced 300 new places in communities across Ontario are for people who have always been in their own homes but who now need to move into independent living.

It really is support for people who have always kept their kids at home, and that's an important distinction. Those 1,000 that are moving into our communities from our institutions are part of a completely separate pot of money that was set aside and announced last September—\$110 million for those people. Let me say as well that we announced 90 beds. What is so important is that half of those beds are for long-term placement of people who have extremely high needs, and who require very complex care: individuals who have mental health issues, for example, as well as other serious high needs.

## PETITIONS

### COMMUNITY HEALTH CENTRES

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** To the Legislative Assembly of Ontario:

"Whereas Brock township has been declared an underserved area by the Ministry of Health with respect to physician services since 1996;

"Whereas the Ontario government announced the creation of 150 family health teams, just like the community health centre in the spring budget;

"Whereas a CHC in Brock township could provide a range of community-based health and social services provided by a multidisciplinary team including physicians, nurse practitioners, nutritionists, health promotion coordinators, social workers, counsellors and other health professionals needed in our local community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Brock CHC proposal submitted on February 27, 2003, be funded as recommended by the district health council."

It's signed by many people in my riding.

### LESLIE M. FROST CENTRE

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** To the Legislative Assembly of Ontario:

"Whereas the Leslie M. Frost Natural Resources Centre has a long history in the county of Haliburton and

provides an important historical link dating back to its use in 1921 as a chief ranger station; and

"Whereas the history and the use and management of natural resources in Ontario stretches back to the 1600s and forms an integral part of the overall history of the province and MNR, and the history of the MNR and the Frost Centre itself easily qualifies as a significant historic resource; and

"Whereas the Minister of Culture, Madeleine Meilleur, has said, 'The McGuinty government values and is committed to conserving Ontario's heritage for the enjoyment and benefit of present and future generations'; and

"Whereas the Frost Centre is an important educational resource for the community, being described on the Ministry of Natural Resources Web site as 'Ontario's leading natural resources education, training and conference centre'; and

"Whereas closure of the Frost Centre would cause economic hardship in the local communities of the county of Haliburton and district of Muskoka due to direct job losses and loss of tourism dollars spent in local communities; and

"Whereas the local community has not been consulted about the closure plan;

"We, the undersigned, petition the Parliament of Ontario as follows:

"The Dalton McGuinty Liberals should not close the Leslie M. Frost Natural Resources Centre."

It's signed by hundreds and thousands of people from my riding, and presented to Trishaala.

### HEALTH CARE FUNDING

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition signed by Clara Crane of Vineland and Kay Davis of Wellandport, among others, that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Dalton McGuinty Liberals promised a health care system that gives us all the care we need when we need it; and

"Whereas chiropractors, optometrists and physiotherapists provide the necessary health care to the people of Ontario to maintain healthy and active lifestyles;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should keep their promise to invest in health care and restore funding to cover optometry, physiotherapy and chiropractic care under OHIP."

In support, I add my signature.

### CHIROPRACTIC SERVICES

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to present another petition, signed by folks in Grimsby and throughout west Niagara, which reads as follows:

"To: Legislative Assembly of Ontario

"Re: Support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

Above the signature of Misty Flynn of Slesser Boulevard, I affix my signature in support.

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Laurie Scott (Haliburton-Victoria-Brock):**  
"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close the Rideau Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing the Rideau Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities;

"Whereas Ontario could use the professional staff and facilities of the Rideau Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep the Rideau Regional Centre open as a home for people with developmental disabilities and to maintain it as a 'centre of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

#### ONTARIO BUDGET

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the McGuinty government inherited a hidden structural deficit of \$5.5 billion upon taking office in October 2003;

"Whereas the McGuinty government is committed to a balanced fiscal approach that eliminates the deficit and restores essential public services;

"Whereas Ontarians demand the best public health care, public education, and economic prosperity; and

"Whereas passing the 2005 budget will ensure new funding for post-secondary students, reduced waiting times for medical procedures, more child care spaces, and new investments in public infrastructure;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 197, Budget Measures Act, 2005, as soon as possible."

As I agree with this petition, I affix my signature to it and I hand it to the page, Elizabeth.

#### CHIROPRACTIC SERVICES

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to read a petition signed by Mark Bronson and Linda Eikelboom, among others, from Dunnville, Ontario, that reads as follows:

"To: Legislative Assembly of Ontario

"Re: Support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

In support, I affix my signature.

#### HEALTH CARE

**Ms. Laurie Scott (Haliburton-Victoria-Brock):**  
This petition is signed by many people from my riding,



including Marilyn Johnston, and I want to send get-well wishes out to her husband, Ron:

"To the Legislative Assembly of Ontario:

"Whereas the Liberal government has announced in their budget that they are delisting key health services such as routine eye exams, chiropractic and physiotherapy services,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To reverse the delisting of eye exams, chiropractic and physiotherapy services and restore funding for these important and necessary services" right away.

1530

### CHIROPRACTIC SERVICES

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition signed by William Blyleven of Lowbanks and Wayne Faulkner of Dunnville, and many other residents of the area, that reads as follows:

"To: Legislative Assembly of Ontario

"Re: Support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

In support, my signature.

### LESLIE M. FROST CENTRE

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** "Save the Frost Centre:

"To the Legislative Assembly of Ontario:

"Whereas the Leslie M. Frost Natural Resources Centre has a long history in the county of Haliburton and provides an important historical link dating back to its use in 1921 as a chief ranger station; and

"Whereas the history in the use and management of natural resources in Ontario stretches back to the 1600s and forms an integral part of the overall history of the province and MNR, and the history of the ministry and

the Frost Centre itself easily qualifies as a significant historic resource; and

"Whereas the Minister of Culture, Madeleine Meilleur, has said, 'The McGuinty government values and is committed to conserving Ontario's heritage for the enjoyment and benefit of present and future generations'; and

"Whereas the Frost Centre is an important educational resource for the community, being described on the Ministry of Natural Resources Web site as 'Ontario's leading natural resources education, training and conference centre'; and

"Whereas closure of the Frost Centre would cause economic hardship in the local communities of the county of Haliburton and district of Muskoka due to direct job losses and loss of tourism dollars spent in local communities; and

"Whereas the local community has not been consulted about the closure plans;

"We, the undersigned, petition the Parliament of Ontario as follows:

"The Dalton McGuinty Liberals should not close the Leslie M. Frost Natural Resources Centre."

Signed by Devin Hogg in Minden, Joan Harding in Cavan, and hundreds of other people from the riding.

### ONTARIO FARMERS

**Mr. Ernie Hardeman (Oxford):** I have here a petition signed by a great number of my constituents and by constituents of the riding right next door to me that's being represented by the Minister of Agriculture and Food. It is to the Legislative Assembly of Ontario:

"Whereas thousands of Ontario farmers have been forced to take their concerns directly to Queen's Park because of a lack of response from the Dalton McGuinty government to farm-related issues; and

"Whereas farming in Ontario is in crisis because of the impacts of BSE, unfair subsidies from other jurisdictions, rising costs for energy and a crushing regulatory burden on farmers; and

"Whereas current prices for farm products do not allow for sustainable agriculture in Canada, with a 10.7% decline in the number of Canadian farms reported between 1996 and 2001;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to consult with Ontario's farmers to develop a long-term strategy to ensure the viability of agriculture in our province that protects our rural way of life, and to work in the short term to alleviate the farm income crisis and listen to the concerns of farmers about the greenbelt."

I affix my signature to this, as I totally agree with the petition, and I give it to Nathan to take it up for me.

### CHIROPRACTIC SERVICES

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition—

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** Again.

**Mr. Hudak:** This one's different. It's signed by Franca Stinson of Beamsville, Rick Voortman of Grimsby, and many other constituents in western Niagara.

**Hon. Mr. Caplan:** I'll sign it.

**Mr. Hudak:** I hope the minister does sign it. That would be very helpful. I suspect that he may be supportive of this petition. I'll read it and we'll see what he says.

"To: Legislative Assembly of Ontario

"Re: Support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; ..."—Mr. Speaker seems to have changed his clothes rather quickly, like SuperSpeaker—

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

In support, I affix my signature.

## COMMUNITY HEALTH CENTRES

**The Acting Speaker (Mr. Wayne Arthurs):** The member for Haliburton–Victoria–Brock.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** Thank you, Mr. Speaker. Welcome to the chair.

"To the Legislative Assembly of Ontario:

"Whereas Brock township has been declared an underserved area by the Ministry of Health with respect to physician services since 1996;

"Whereas the Ontario government announced the creation of 150 family health teams, just like the community health centre in the spring budget;

"Whereas the community health centre in Brock township could provide a range of community-based health and social services provided by a multidisciplinary team including physicians, nurse practitioners, nutritionists, health promotion coordinators, social workers, counsellors and other health professionals needed in our local community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Brock community health centre proposal submitted on February 27, 2003, be funded as recommended by the district health council."

Signed by Bill Jackson and Kerri Jebson and brought to the Legislature by a former MPP, Larry O'Connor.

## ORDERS OF THE DAY

### FILM CLASSIFICATION ACT, 2005

#### LOI DE 2005

### SUR LE CLASSEMENT DES FILMS

Mr. Watson moved third reading of the following bill:

Bill 158, An Act to replace the Theatres Act and to amend other Acts in respect of film / Projet de loi 158, Loi remplaçant la Loi sur les cinémas et modifiant d'autres lois en ce qui concerne les films.

**The Acting Speaker (Mr. Wayne Arthurs):** Minister Watson.

**Hon. Jim Watson (Minister of Consumer and Business Services):** I'm not going to speak for a long time because I did speak at second reading. I just wanted to remind members of the House and those people who are watching the parliamentary channel exactly what Bill 158 is.

Bill 158 is an act to modernize Ontario's film classification system. The reason we're here is quite simple. There was a judge's court ruling that indicated that the censorship powers of the Ontario Film Review Board were too broad. What we decided to do, as a government, was bring forward legislation that would address the court's concerns but also modernize the film classification system, because in fact the system and the OFRB have not really been updated, I was told, since Lawrence of Arabia won the Oscar award. So that was some time ago; I think it was before I was born, as a matter of fact.

We have spoken with parents and consumers, the film distribution industry, the video game industries, to develop what I consider a very balanced approach to film classification. We've listened to the views of the Consumer Council of Canada, the Retail Council of Canada, the Canadian Motion Picture Distributors' Association, the Motion Picture Theatres Association, the Public Interest Advocacy Centre, the Media Awareness Network of Canada, the Interprovincial Film Classification Council, parents, educators and a whole host of individuals who have an interest in this particular issue.

I want to read a couple of comments from individuals who expressed their support for Bill 158.

Sue Lott is a wonderful individual from my hometown of Ottawa. She's counsel for the Public Interest Advocacy Centre. Let me quote her: "As a consumer organization, the Public Interest Advocacy Centre supports the government's initiative through the Film Classification Act to provide helpful information to Ontario consumers. We are also pleased that this legislation respects the Charter of Rights' important protections around freedom of expression."

I don't want to be too parochial talking just about Ottawa issues, but I'm proud of my hometown. An



Ottawa Citizen editorial on December 13 said, "The Ontario government is doing the right thing by getting out of the film censorship business."

I want to also quote a gentleman whom I know the member from Erie-Lincoln knows well, Bill Moody, who is a great member of our community, very involved in the Rotary Club. He was the chair of the film review board. He just retired from his term a few months ago—a public educator as well. This is on the issue of the importance of the role of a classification system so that parents and children know exactly what film they're going to see and what the rating is. He brought up a very good point. He said, "It has become impossible for parents to be able to be at the cutting edge of every movie or electronic game their child may be exposed to. A classification system that provides a consistent reporting to which parties can refer, that is clear and transparent has become a very real necessity."

1540

Our ministry works with the Retail Council of Canada where we have a very good relationship. I want to quote Doug DeRabbie, who is their director of government relations. He said, "This legislation reflects this government's belief that when it comes to protecting our children from access to video game material that is inappropriate for their age, the first and best line of defence is parental education."

There are a number of people who have come forward in support of Bill 158.

Let me deal with the issue with respect to censorship for a moment. It addresses the court's ruling by greatly reducing the OFRB's approval process. Only explicit adult films that appear to meet the criteria for criminal obscenity can be refused approval, and criteria will be set out in regulations under the act. It will be exactly the same as interim changes that were made to regulations under the Theatres Act in July 2004.

Just to be very clear, what we are going to do is, if an adult film is in breach of the Criminal Code, according to the OFRB, that film will be handed over to the police and the police will take whatever action they deem appropriate.

Let me read to you the court ruling, the Butler decision, which defines criminal obscenity: "explicit sexual depictions coupled with violence, explicit sex that is degrading or dehumanizing, and explicit sexual activities that involve children." According to the court ruling, the Butler decision, those kinds of films are in breach of the Criminal Code. They should be dealt with by the police. If the police feel that they are not in fact in breach of the Criminal Code, they will be sent back to the OFRB, and the OFRB will classify them and they will be distributed.

This does very much go in line with the court ruling, the Glad Day decision, that was reached over a year ago. We were given instructions to deal with this within a one-year period. We had to go back for an additional four-month stay simply because we didn't have the legislative time to get it through.

I thank the opposition for their co-operation on this. I was pleased that Mr. Tory supported this legislation at second reading. We had thorough discussions at committee.

I want to thank, in absentia, my parliamentary assistant, Ted McMeekin, who is a great parliamentary assistant who has helped us stickhandle this piece of legislation.

I am proud of this legislation. I believe the court ruling was quite clear, and our lawyers and the lawyers from the Attorney General were quite clear that they wanted to adhere to that ruling. Our ministry lawyers very much reviewed the Glad Day decision.

Let me just point out a couple of aspects with respect to prior restraint, because that was part of the ruling as well. It said, "The court did not rule on the constitutional validity of requiring films to be submitted solely for the purpose of classification before they're released into the market. Classifying films ensures that parents and consumers are provided with information on age and content suitability before viewing films or making a decision on whether to purchase films for themselves or their families. Without this requirement, that films be submitted to the OFRB before release to the market, there would be no effective way to protect our children from harmful material."

That's what it boils down to. I think it is a fair and reasonable approach, a balanced approach that our government has taken, between the two extremes. On the one extreme, anything goes. You simply produce a film, you don't need to have it classified and it goes right into the marketplace, regardless of how obscene, how inappropriate it is to children in this province. The other extreme, of course, is the full censorship route, which we have chosen not to follow. So it's very much a balanced approach, based on the court decision on Glad Day.

It also ensures that the OFRB, which is a very good group of men and women who work on our behalf in the province of Ontario, ensures there is a classification system, both on video games and in movie theatres.

I think, as you know, and as I've said in this House before, video games today are a lot different than when we were growing up, when there were simple video games like Pac-Man and these things that were not threatening, that were not violent. Today some of the video games are so realistic that the OFRB, in one instance, had to put an R rating on one of the video games because of the excessive violence and inappropriate language.

I think it's fair, in our society, that parents know what their children are going to see, that parents understand what an R rating means and what a PG and a PG-13 and an A rating are within the context. I think the OFRB, over the years, has done a very good job. You go into a theatre now and the rating system is up, prominently displayed at the ticket counter so you know up front what exactly an A or a PG or a PG-13 and so on is.

I'm very pleased to take part in this third reading debate. I look forward to working with the OFRB as we

develop the regulations that will be required to make sure this law comes into effect. I want to thank all those individuals who have come forward from a wide variety of organizations over the course of the last year to offer their advice, their input, their suggestions. I believe we have a good piece of legislation. We've listened to those individuals, we've respected the court's decision, and the result today is Bill 158. I humbly ask for the Legislature's concurrence so that we can move forward on this piece of legislation. Thank you very much.

**The Acting Speaker:** Questions and comments?

**The Acting Speaker (Mr. Joseph N. Tascona):** Further debate?

**Mr. Ted Chudleigh (Halton):** On a point of order, Mr. Speaker: We would like to stand down our leadoff speaker.

**The Acting Speaker:** Is there unanimous consent to stand down the leadoff speaker for the opposition party? Agreed? Maybe we should have a five-minute recess to straighten this out. The House stands recessed for five minutes.

*The House recessed from 1547 to 1553.*

**The Acting Speaker:** Please be seated. The Chair recognizes the government House leader.

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** On a point of order, Mr Speaker: I seek unanimous consent that the clock show 37 minutes for each caucus as it speaks in rotation.

**The Acting Speaker:** Is there unanimous consent? Agreed.

Further debate?

**Mr. Frank Klees (Oak Ridges):** I'm pleased to speak to Bill 158. In fact, I made the request to our House leader to have the opportunity to speak to this bill because I will be voting against this bill. I look forward to the opportunity to set the record straight as to why, what my objection is.

I suppose that one of my first concerns is that here we are, once again, in the Legislature of Ontario, debating a bill that will be passed by this government, because they have a majority, and they'll do that. But we are here because of a decision of a judge, who has made a ruling. One judge out of some 250 judges on the bench in Ontario—one individual judge—has made a decision in one court case, and we're now passing legislation in response to that.

I say to my colleagues and members in this House—and I ask people who are observing the proceedings to ask themselves—who should be making laws, whether it be in this Legislature or in the Parliament of Canada? My contention is that it should be the elected representatives, the people who are put here for the purpose of making laws. Once again, we're reacting to a decision in a court, and we're creating legislation in response to that. Had the initiative come from the Legislature because of a need that was seen within our province and within society, had it come from individuals within our communities saying there is something fundamentally flawed in the way we are approving what is being viewed, what films are being

put into the marketplace, I could understand that and would of course participate in that debate as well, but much more willingly, because that's our role.

I take exception as well to the incremental way in which standards are being whittled away within our society. It's interesting when you hear the words that are being used in this debate. I hear again from the minister that this is to modernize the film classification system within our province. Of course, that sounds very good, and it is, in the sense that we're bringing how we do this into the modern day. But what isn't being said is that it's much more than modernization. The reality is that by passing this legislation, we are removing any and all standards from legislation and regulations that exist today, and we're replacing standards with classification, with which I have a fundamental problem. I believe that most Ontario citizens, if they fully understood what was in this legislation and what this legislation will do, would also be opposed to that. I still believe that in this province of Ontario, parents and citizens want standards. They want standards because they want to ensure that the community has standards. They want to ensure that their children are protected and that certain material in films should not even be on the market—they shouldn't be on the shelf. That's my belief, and I believe that the vast majority of Ontarians believe that as well. I feel that I have a responsibility, as a member of this Legislature, to let people know what this bill is in fact going to do.

I believe that the system we currently have is functioning quite well. In fact, when we speak to members of the Ontario Film Review Board, they tell us that there are few occasions when they perform the function of censorship. But what is important is that they have the authority to do so within the current regulations. I want to place on the record that under regulation 103.1 of the Theatres Act, there are very specific criteria in place today under which members of the Ontario Film Review Board do their work. I want to read this into the record so that people understand what is there now so they know what is being removed through the passage of this bill.

**1600**

I am quoting what the regulation states:

"After viewing a film, the board may refuse to approve a film for exhibition or distribution in Ontario where the film contains,

"(a) a graphic or prolonged scene of violence, torture, crime, cruelty, horror or human degradation;

"(b) the depiction of the physical abuse or humiliation of human beings for purposes of sexual gratification or as pleasing to the victim;

"(c) a scene where a person who is or is intended to represent a person under the age of eighteen years appears,

"(i) nude or partially nude in a sexually suggestive context, or

"(ii) in a scene of explicit sexual activity;

"(d) the explicit and gratuitous depiction of urination, defecation or vomiting;

"(e) the explicit depiction of sexual activity;



“(f) a scene depicting indignities to the human body in an explicit manner;

“(g) a scene where there is undue emphasis on human genital organs; or

“(h) a scene where an animal has been abused in the making of the film.”

Those are standards that exist today in the province of Ontario. Those are the standards that guide members of the Ontario Film Review Board in carrying out their responsibilities.

Those standards will be removed, they will no longer exist once this bill is passed, and the bill before us in debate contains no standards. It simply says, as you well know, that there will now be classifications, and honourable members in this place have been debating and saying this is most appropriate, that in our modern world it is inappropriate to censor certain material, that regardless of how offensive and harmful that material might be, in our modern world it's inappropriate to censor that material. So we would simply have classifications and somehow we leave it up to parents to teach their children, to guide them, to educate them to abstain from accessing certain classifications of material.

I submit to you that there is a responsibility the Legislature has in this country, specifically our Legislature in this province, to assume the role of a parent in terms of guidance when in fact a parent refuses or abdicates that responsibility. That is a responsibility that we as legislators have. It is a responsibility under law that we have to ensure the protection of vulnerable children within our society. I suggest that by passing this legislation, we are abdicating that responsibility. That's why I am going to be voting against it.

I know there are those who say, “Come with us into the modern world. You're something of a dinosaur.” I ask you to look around and to consider why we have the kinds of problems in our society today that we do, and I suggest to you that one of the reasons is that we have lost sight of standards, that we are afraid to say, “This is wrong, this should not be viewed, this is inappropriate, this is abusive, and this will lead us down the road to serious problems.”

What have we learned from the Homolka case? What have we learned from the many circumstances that we read about daily on child abuse? We read about one child in Toronto who was abused and killed, and the perpetrator of that crime admits openly that it all started with his viewing of pornographic films. Why can't we learn from something as basic and fundamental as that, to say, “Isn't it about time that we enforce standards?” Instead, we have this Legislature coming forward with Bill 158, which says, “No, do you know what? We're going to do away with standards. We're moving into the modern world. We're going to relax standards. We're simply going to classify.”

The argument that “the court made me do it” shows the dysfunction of our Legislature here in Ontario and it shows the dysfunction of every Legislature in our country and the Parliament of Canada. There is an

authority that we as legislators have to challenge whatever ruling a judge may make, and that is our responsibility. If we aren't going to take that responsibility, then why are we here? Let's do away with it. We've got 250 judges in the province of Ontario; let them run the province. Let the judges and the civil service have their way, because that effectively is what we're doing. Why are we here, when every time a judge makes a decision, we say, “Okay, we'll do that”?

So you say, “Well, what can we do?” We do what is within the framework of the law here in Canada. If we don't like what the court says, we challenge it. This province, this Attorney General, should have appealed that decision. In appealing that decision, what the Attorney General does is elevates this debate, elevates this discussion, and the dialogue begins to happen between the court and the Legislature. In the Legislature, we then have an opportunity to come forward on behalf of our constituents, who I believe should truly be setting the standards in our communities, not a judge. Not one man, one fallible man, who may well have good intentions but who I believe is fundamentally wrong.

We have the opportunity as legislators to bring into the debate the views of our constituents and of the community at large. Through an appeal of a court decision, we elevate that debate and we sharpen the tools of justice. That's what we're here for. But no; this government, as with other legislation, abdicates its responsibility, washes its hands and says, “It's not my fault. We were forced to do it.” I don't believe we were forced. It's the weakness of this government that has us here today, and I believe that's fundamentally wrong.

I have some other points that I wanted to make, but I'm going to defer to my colleagues who also want to speak to this issue. We had an agreement at the outset that there would be an opportunity to split my time with them, and I defer to them. You may hear a different point of view from even my colleagues. I appreciate the opportunity to put my view on this issue on the record. As I said, I will not be standing in favour of this legislation. I will be voting against it, and I believe that that in fact is the will of my constituents as well.

**The Acting Speaker:** The Chair recognizes the member from Halton.

**1610**

**Mr. Chudleigh:** Thank you, Mr. Speaker. It's a pleasure to be here. This bill continues to build upon the nanny state, the Liberal nanny state, the principles that have been guiding the Liberal government for well over a year now. The government claims this bill is about breaking down the censorship barriers that resulted in a 2004 Supreme Court ruling that said our existing laws restrict freedom of expression. In fact, the Liberals have not torn down these barriers at all; they have simply reconstructed them.

The bill will now allow any person to distribute or exhibit an unclassified film, but that person must first obtain a licence from the government. This could mean that we will all need to obtain a licence to show home

movies to our family and friends. I don't think this is what the government intended, but this is one of the consequences that this act may put in place.

And why not? Why wouldn't they say we need a licence to show our home movies at home to our children or to our friends? This government is already telling us what our kids can eat at school. They're telling us what kinds of dogs we can or cannot own. They're telling us whether or not we can eat sushi and what kind of sushi we should be eating. They're telling us whether or not we can build on our own property. The list goes on and on.

There is no doubt in my mind that if George Orwell were alive today he would recognize Liberal Ontario. Dalton McGuinty would be watching him. Soon it could be true. Perhaps the Liberals should spend less time telling people what they can and cannot do and start providing a modicum of leadership. Leadership is what this province needs.

I spoke earlier today about the closing of the Nestlé coffee plant in Chesterville today. In 1989, when Jim Cummings was there as the general manager of that plant, that was the largest coffee plant in North America. Today it's closing.

In 1989—that was under a Liberal government, back in 1989—the Gerber plant in Niagara Falls was the largest baby food producing plant in Canada. Under a Liberal government, in 1989, it closed. Jack Merritt—his wife Noreen—used to run that plant. He ran it extremely efficiently. Ron Downey was their chief purchasing agent. I still see Ron Downey every once in a while. He tells me that he occasionally watches the parliamentary channel. If he's watching today, I'm sure he is just about falling off his couch, if he's not having a nap. He probably played golf someplace today, and he's just getting himself acclimatized. But Gerber was a plant that closed in 1989 under a Liberal government.

Hunt's Foods, down on the other side of Chatham, in between Chatham and Leamington, closed down their plant in 1989 under a Liberal government. There were many, many other food plants in Ontario in those days that closed down.

Premier Peterson went up and down the province, all around the province telling people how bad free trade was going to be for Canada, for Ontario. Many of those things that he talked about, how bad that free trade agreement was going to be for Ontario, were in the purview, were in the hands of the provincial government. They could have made it better.

We are talking about Bill 158. I have to mention that every once in a while.

They could have made it better, but they didn't. They wrung their hands and watched these plants close.

I think that these same kinds of activities are beginning to happen again today. We saw the Bombardier deal go to Quebec, and that was through a lack of attention from the minister and from this government. They didn't make the right decisions and they didn't make them quickly enough. Under the Film Classification Act, Bill 158, a very good short film could be made about the loss

of that Bombardier plant. A very good short film could be made.

Today we find that the Nestlé plant in Chesterville, which was at one time the largest coffee-blowing plant in Canada, is closing. That plant opened, I think, in 1916 as a Borden's canned milk plant. It was part of the First World War effort. They would can milk. The entire production, in those war years, was sent across the ocean to the war area to supply milk to the armed forces. After the war, that plant continued to can milk for some time. Nestlé, I think, purchased it in the late 1930s.

It eventually became a coffee plant and expanded to well over 200,000 square feet. It's a very substantial plant of 240,000 to 250,000 square feet. It has an office complex attached to it. It's a very modern facility. There is no reason why it shouldn't be kept going if the economic situation in Ontario were right. But with increasing corporate taxes, that has not been the right area to keep that plant busy and to keep it going.

The tough decisions that this government had to make in order to keep these plants open have not been made.

Here we are in the House on a Thursday before the parliamentary break, and we're not discussing some of the issues facing Ontarians. We're not discussing health care; we're not discussing the kinds of things that each Ontarian is concerned about as to whether or not they have access to the right kind of health care when they need it and where they need it. Those are questions that every family in Ontario comes to face at some point in time, and here we are in the House and we're not talking about health care; we're talking about film classification, which, I can almost guarantee you, would not be discussed around one dinner table in 100, perhaps one in 1,000 tonight when people sit down to dinner.

I suspect that if you were to ask that same question about health care in some aspect, health care might be discussed in a great number of households, whether that be one in 10 or one in 20. It might not be this evening, given the political activities going on in Ottawa today, but on a normal weekday health care would be discussed quite often, while film classification would be rarely, if ever, discussed. Education is something else that would be discussed. Are we here to fix the problems of education this afternoon? No, we're not.

The other thing happening in Ontario is that every spring, on the roads in Ontario, the winter damage comes to be seen; you come to notice what has happened over the past winter. This was an interesting winter in that it was quite cold but very moist and damp, and we had some warm spells. That's a bad combination for roads because it tends to create potholes where old potholes were, and it tends to create new potholes as well. So you not only have to repair the old potholes but you have to repair the new potholes, and that's because of the warming and freezing aspects we had last winter.

**Mr. Peter Kormos (Niagara Centre):** Maybe we should classify roads.

**Mr. Chudleigh:** The member for Niagara Centre says we should perhaps classify roads. Of course, we do that



to a degree in Ontario. I think that has been done for about the last 60 years—about the same length of time we've done film. Perhaps that will be the next initiative of this government, that we will classify roads and take short films of roads and show the size of the potholes that can actually swallow up some small cars. That's one very good reason not to drive a small car in Ontario, because I think some of the potholes could actually swallow up one of those smaller cars.

1620

Of course, the cars that are made in Ontario are made for conditions that are faced here, so you're safe to buy any car built in Ontario, because they're built to withstand the potholes on Ontario roads. I think some of them come with pouches in the back that are filled with sand so that if you do get stuck in the pothole, you can break out the sand, fill it in and roll yourself out of the pothole, because some are getting just about that big.

But we're not here this afternoon to discuss potholes; we're here to discuss film classification. Of course, if you're in a pothole on an Ontario road, you might look around for some help, and perhaps somebody with a police radio could radio for a tow truck to come and help you get out of the pothole. They could radio for the police, but it might be a long time before you saw a policeman, because although this government promised to put 1,000 more police officers on the streets of Ontario, they have yet to materialize. They have yet to be funded. Of course, nothing happens without funding, and that funding hasn't taken place yet.

A fairly major motion picture, perhaps even an epic motion picture, could be shot in the time it takes for this government to get those 1,000 police officers on to the streets of Ontario, which is one of the issues that the people of Ontario really want to see. One thousand police officers were promised. I know that in our last term in office, we delivered 1,000 new police officers to the streets of Ontario. The Liberals thought that was a great idea, and they put it in as one of their campaign promises: "We're going to put 1,000 police officers on the streets of Ontario, too. Aren't we wonderful?" They announced it. They came out and announced it.

Monte Kwinter, the Solicitor General, announced that he was going to appoint 1,000 new police officers to the streets of Ontario, but then, prior to the budget, found out that it required funding. Of course, that funding had been pulled. It wasn't the full Monte; it was the poor Monte. Poor Monte was sent out there to make the announcement, and then they pulled back the money. I know Mr. Kwinter, the Solicitor General of this province, to be a very honourable individual, and I'm sure he was distraught when this trick was pulled on him—to go and make this announcement and then withhold the money. Again, an epic film could be shot in the time it takes to get those 1,000 police officers on the streets with this government holding the reins of power.

When we think about Bill 158, we wonder, was this bill promised during the election? Was this one of the 231 promises to all the different people in Ontario? No, it

wasn't. But here we are on Thursday afternoon, prior to going home to our constituencies, and we're not debating any controversial legislation that might come up during conversation next week at home among the electorate of Ontario. No, we're debating something that is extremely low key, will not be discussed around any dinner tables, I give you, and it's just going to bring the temperature down.

It's kind of strange that the government would do this, because given the activities that are going on in Ottawa today, given the impending vote, which is coming up—it's going to start in about an hour and five minutes—all the newspapers, the fourth estate, who are listening in their offices I'm sure, won't be giving much ink—in fact, their editors won't give them much ink—about what happens in Ontario's Legislature today. I think this government could have brought in extremely contentious legislation for this afternoon's debate, and I think it still wouldn't have made any press, given the activities that are happening in Ottawa. But that didn't happen.

The Minister of Consumer and Business Services has also been called the minister of trivial distractions. That was from my friend from Leeds—Grenville. He called you the minister of trivial distractions. This bill comes forward every time the government needs something to lower the temperature. It's just something to have nice, quiet debate on; nothing contentious. Most of the contentious members—I say most of the contentious members—I'm sure they're listening in their offices; it's not appropriate to mention that they may not actually be sitting in the House. But their activities are certainly very low key today.

The other thing that this bill doesn't do is address agriculture or food. There is a myriad of issues that are facing the farmers of Ontario. I would think that we could make a very major motion picture under Bill 158 about the things that are happening to agriculture and how this government is ignoring them. The progress that they're making with nutrient management, and the way in which they're approaching it, is very scary. This province is going to be out of the meat-producing business if you proceed with implementation of nutrient management in the direction that you're going. You have already destroyed the long-term future of the dairy people, the swine industry and the beef industry by your cancellation of the dairy herd improvement act, the swine improvement act and the beef improvement act.

The dairy herd improvement act, which was one of the longest-standing of those acts—I believe it started in 1942 or 1943—registered every dairy cow born in Ontario as to its sire. Over the course of a number of years, the record of every dairy cow registered in Ontario was known. You knew how much milk it produced, you knew who its sire was and you knew how long it produced milk for. It was a complete genetic record of the bulls and cows in Ontario. The entire province became a laboratory for developing the best dairy genes in the world. Today, Ontario has the best dairy genes in the world. We were working on that same program for swine and beef. With

the mad cow disease, it's particularly important to have a genetic record of where those cattle or swine came from.

This government has cancelled those three acts. It will take a while for those things to kick in, but that terrific gene pool that we've got, the best in the world, will gradually be eroded and disappear, and we will gradually not be able to tell people, with proof, how good our gene pool really is. That's a shame. We should be discussing that this afternoon, not film classification and Bill 158, something that doesn't really affect many people in Ontario.

I share the rest of my time with the member just over here.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** It's a pleasure to follow the member from Halton and see his devotion to his riding and his knowledge of many issues that are facing Ontarians.

To the bill brought forward by the Minister of Consumer and Business Services: Certainly, the Film Classification Act is an interesting one that's been brought forth to deal with the rating process outlined in the current Theatres Act, in order to conform with the Supreme Court ruling in April 2004. In this, the Supreme Court ruled that the review boards have "extremely broad" powers and that they violate the rights and freedoms section of the Canadian Constitution: "The mandatory submission of films and videos to the board for its approval prior to their distribution and exhibition infringes on the fundamental freedom of expression guaranteed by ... the charter."

The judge also criticized the board's ability to order cuts or edits in films to be distributed in Ontario, which could leave the impression that the final product was what the producers intended, or could even alter the intent of the film. So the legislation is the government's attempt, I believe, to conform with the Supreme Court ruling. As the minister has been emphasizing, and I guess it's been to committee, it would still need to censor what was covered in the Criminal Code. For those watching, in short, the board may refuse to approve a film for exhibition or distribution if the board considers that the film has as its main object the depiction of explicit sexual activity, if the film includes the depiction of explicit sexual activity coupled with violence, or explicit sexual activity that's degrading or dehumanizing—

**Mr. Kormos:** There are children here; please.

1630

**Ms. Scott:** Exactly. Sorry. This is whom we're trying to protect, and I'm sure they've had quite an education since they've been here, so the member for Niagara Centre says. Certainly, the protection of children is what we need to keep most in our minds.

I'm sorry that my time has run out, but it will be interesting to follow up with the minister.

**The Acting Speaker:** Questions and comments? Seeing none, the Chair recognizes the member from Niagara Centre.

**Mr. Kormos:** Thank you kindly, Speaker. This is third reading debate, the completion of debate, around

Bill 158. I'm here with my colleague Ms. Martel. I don't know whether she'll have an opportunity to speak to this bill this afternoon or not. I can tell you that I speak for the New Democratic Party caucus in this matter and that the NDP simply can't support this incredibly irresponsible response to the Superior Court ruling here in the province of Ontario.

Section 7 alone demonstrates that this government thumbs its nose at the rule of law. Section 7 preserves approval. That's exactly what the court was talking about. The province doesn't have the jurisdictional capacity to approve or disapprove films. The province can classify. New Democrats support the classification of films. I'm going to speak to that a little more elaborately in just a few moments. But section 7 of the bill offends, in fact shows contempt for, the ruling of the court. Understand that the province, in its own capacity, decided not to appeal that decision. The province understood full well, and anybody who has read the lengthy and thorough judgment understands—the reason the province didn't appeal it was because it was unappealable. In any event, Judge Juriansz, who made the ruling, is now in the Court of Appeal, so that gives you a little signal, an indication, of what the Court of Appeal would have to say about the position established by Judge Juriansz, doesn't it? Section 7 preserves censorship. For that reason, and we don't have to go any further, this bill should not pass. It's not what the court said. The court said the province can't censor movies. Whether people like that or not is irrelevant.

I want to say this, though: No other medium, artistic or communicative or whatever, in our province, in our country, is subject even to any classification scheme. Do we tell publishers to submit books so that they can be classified, never mind censored? No. And quite frankly, if someone were to stand and say, "Yes, we should be censoring books," they'd be mocked. That would be a repugnant proposition, wouldn't it? The mere concept of saying, "Let's create a legislative regime whereby books have to be submitted for approval," like section 7 continues to require movies that would have to be submitted for approval, or disapproval, and if they don't get the approval of the province, they can't be shown, or the book can't be read—or magazines, or stage plays. I was excited to read today that a stage play written by Jack Kerouac had just been discovered by his manager in the archives, literally in boxes that had been stored in, I presume, a mini-storage in New Jersey or thereabouts. It's going to have tremendous commercial value as well as, according to the small, modest news report I read, a tremendous insight into their lives, because of course Kerouac, as he wrote, wrote about himself, he wrote about Neil Cassidy, he wrote about Ginsberg, he wrote about that whole group of writers and poets and thinkers in that beat era.

But we don't ask people who write plays, playwrights, to submit their plays, the text for the play, for approval or classification. We don't tell photographers to submit their negatives or their prints for approval or disapproval or



even classification before they can be displayed. We don't tell artists to submit their canvases for approval before they can be displayed, or even for classification. There's something very troubling about the underlying concept of preapproval, censorship and, in my view, the need, the legislative requirement that a matter be submitted for even classification because, understand, failure to submit for classification means you can't display the movie.

I don't know if people share my concern about this. We condemn jurisdictions wherein the state exercises that type of control over what people can hear. We don't tell a musician to submit his or her songs before they can be performed, do we? And is there troubling stuff from time to time that musicians write? Of course there is. Are there photographs that from time to time are taken and printed and displayed that are troubling? Of course there are. Are there paintings, is there artwork, is there sculpture that from time to time is troubling? Of course there is. Are there plays that shock and offend? Of course there are. Are there books that offend or even disgust? Of course there are. But in a democratic society we would express repugnance at the proposition that a playwright submit his play, that a poet submit his poem, that an author submit her novel, that a photographer submit her photographs.

Diane Arbus—you may be familiar with her work: tragic, tragic life which ended all too soon, at her own hand. But she was the leading edge in some very disturbing photography, very American photography, portraits of Americans, yet those very disturbing and shocking photographs have become classics not just in the world of photography but classic documents about the state of America at the period of time when Diane Arbus was taking those photographs. There are people far more sophisticated than I am in their familiarity with the arts who would tell you that one of the purposes, one of the goals, one of the motives, one of the objectives of art is to shock and provoke and to rattle the cage, to make people reflect on things perhaps in a very disturbing way, even to the point of being offensive.

1640

So while New Democrats agree that the state should provide a classification system, we have grown increasingly convinced that to require submission to that classification system before a film/DVD/movie can be displayed is in itself problematic, which is why we called, during the course of committee hearings on this bill, for the creation of a class of film that would be called—well, “unclassified,” not submitted for classification.

I don't want us, please, to get distracted by the ranting and railing about pervasive pornography sort of finding its way into our kids' or grandkids' hands, because we've got a Criminal Code, and that's what Judge Juriansz was very specific about as well. When something violates the Criminal Code in terms of being obscene, pornographic from a criminal perspective, then you arrest the people who publish, distribute, sell or display that item, and there has been no shortage of prosecutions in that regard.

What's remarkable is that this bill still requires SpongeBob SquarePants films to be submitted for classification. Think about it. The pages here have got younger brothers and sisters who are SpongeBob SquarePants fans, I'm sure. OK?

**Interjection:** I like it.

**Mr. Kormos:** All right. Did we get the interjection, because I responded to it?

**Hon. Mr. Caplan:** Who interjected?

**Mr. Kormos:** Inderraj Singh, Etobicoke North, took the liberty, on his final day here of participating in the debate. I'm proud of him.

**Hon. Mr. Caplan:** He'll be back.

**Mr. Kormos:** You're darned right, and maybe sooner than you think. Come on down to Niagara Centre, my friend, and let's get working on building a profile for you. You've got a head start here today. Good for you.

These pages have been the most impressive group of young people that anybody could ever meet. You have been a real delight to work with. It's remarkable how you learn the standing orders within a matter of days, and I've got colleagues here who haven't learned them over the course of years. It's true. The pages have just been superlative, and I want to take this opportunity to thank them once again for their service here at the Legislature. I am confident, yes, that there will be pages returning to this chamber as members of this Legislature, and I'm looking forward to that.

So here we go. In the year 2005, in the 21st century, you've got a government, the Liberals here at Queen's Park, that wants people who make movies like SpongeBob SquarePants to pay—because you've got to pay when you submit the film for classification—so that the film classifier can, surprise, surprise, say, “This is a children's film.”

Mind you, there are some religious leaders down in the southern United States who say SpongeBob SquarePants may be a little too gay for our kids and grandkids to watch, because after all, SpongeBob SquarePants holds hands with his best friend. What stupid stuff that is. What's obscene is any religious leader who would say something like that. That's what's obscene. I know that Jonathan Hampton, for instance, is a big fan of SpongeBob SquarePants. He's a SpongeBob SquarePants addict, if you will; Jonathan can't get enough of SpongeBob SquarePants.

I know I've talked about Nicholas Losier-Brown and his brother, Joshua Losier-Brown, a couple of the other people I've consulted during the course of this debate around 158 and they're big SpongeBob SquarePants fans down in Welland, as well as Bob the Builder. Do you know Bob the Builder?

**Interjection:** Yes.

**Mr. Kormos:** Interjection “yes” from Singh. Bob the Builder.

**Interjection.**

**Ms. Shelley Martel (Nickel Belt):** He was provoked.

**Mr. Kormos:** I provoked the page. OK. We're going to get the union cards out, Mr. Butt, if there's a problem

here. Bill 144 hasn't passed yet. We'll get some card certs.

So you've got Nicholas Losier-Brown and Joshua Losier-Brown, who are fans of SpongeBob SquarePants, and Jonathan Hampton, who's a fan of SpongeBob SquarePants and Bob the Builder. Is Bob the Builder the guy with the train? I don't know. There's another guy who rides a train around a lot.

These filmmakers of obvious children's films have to submit their films and pay X number of dollars per minute to have them viewed so that the film classification board can say that these are children's films. Give me a break. What a silly proposition.

That's why jurisdictions like Manitoba, where there are self-identified classification categories, have the requirement that if you indeed have a film that contains things that would elevate it in the ranking of classification, then the film does have to be submitted.

I raise once again the need for a category of film where the label on the box says "Unclassified" or "Not submitted for classification."

Think about this: If your church group or your temple or your synagogue makes a DVD of the choir singing—and it's so easy to do now with the equipment you've got. Your Mac can burn DVDs like that. Ms. Di Cocco, catch this: If your church makes a DVD of the choir singing and then sells it to raise money as a fundraiser, you've got to submit that movie for classification and pay to have it reviewed. That's silly.

If Bob Vila putting up drywall has got to be submitted for classification because there might be some dirty stuff in there, that's silly.

Volunteer groups that raise money with a film that, oh, could be somebody's travelogue have to submit the film for classification. That's nuts.

Bright, brilliant, creative filmmakers here in the city of Toronto who are doing some of the leading-edge experimental work in terms of—

**Hon. Harinder S. Takhar (Minister of Transportation):** On a point of order, Mr. Speaker: I have some very distinguished dignitaries in the lobby and I would like to introduce them.

We have the Honourable Captain Amarinder Singh. He is the Chief Minister of Punjab. He's the equivalent of the Premier here. He's here with the trade delegation.

We have the Honourable Partap Singh Bajwa. He's the Minister of Cultural Affairs.

We have the Honourable Jagmohan Singh Kang, the Minister of Tourism.

We have the Honourable Gurmeet Singh Sodhi, Minister of Sports and Youth Affairs.

We have the Honourable Avtar Henry, the Minister of Food and Supplies. Actually, he's from the same area that I am.

We also have other distinguished guests with them, who are equivalent to the rank of our deputy ministers.

I wanted to introduce them to the Legislature and welcome them to Ontario and Canada.

**The Acting Speaker:** We welcome you to the Legislature.

We continue the debate with Mr. Kormos.

**Mr. Kormos:** Welcome. It's good to have you here in the chamber as we're wrapping up the debate on this minister's obsession with dirty movies.

One of the things that this minister was confronted with, shortly after his appointment to his ministry, was the—

**Hon. Mr. Takhar:** On another point of order, Mr. Speaker: I missed the High Commissioner of India to Canada, Ms. Cowsik.

1650

**The Acting Speaker:** The Chair recognizes the member from Niagara Centre.

**Mr. Kormos:** Back to Minister Watson and his dirty movies.

Look, we understand the need to have a classification system, but we also submit to you that a legal requirement that a film be submitted for classification before it can be legally shown is something so serious as to be worthy of consideration. We don't impose that same requirement on other forms of expression, and were we to, we would be held in incredible disregard. That would be considered something very repugnant and it would become something that would be publicized internationally.

The solution here is so simple. Accommodate the bright, young artists and filmmakers—and some not so young. There is a whole community out there that is making film where the market is so limited because it is being shown in a small circle of other filmmakers and other film experimenters. These are the people who become the Egoyans and the Cronenbergs, two of our great filmmaking Canadians, and people who sustain a growing economy across Ontario. This bill ignores the dilemma it creates for small experimental filmmakers.

The Ontario College of Art and Design, just down the road—given degree-granting status by this chamber not that long ago—home to the academic, home to a community of filmmakers who, to display a film, unless they get special dispensation, have to submit it for review and pay the costs associated with that. Wouldn't it be so much easier and so much more preferable to simply require that a film that has not been submitted for classification be identified as not submitted for classification? It's very much a caveat emptor; in other words, don't buy or view this film unless you are prepared for anything, or unless and until you have a reasonably good sense—if it came from the church and purports to be a movie of the choir singing, then you can reasonably expect it to be a movie of the choir singing, and it shouldn't have to be classified. If it comes from an experimental filmmaking community that may be risqué and leading edge, then be prepared for perhaps a forearm to be displayed or even an elbow, and don't register too much shock when that happens on the screen. It's eminently reasonable and, I believe, far preferable in a free and democratic society.

The debate isn't about the incredibly illegal and grossly offensive sort of things we're forced to talk



about, those things that reveal and display the basest of human nature. I'm talking about illegal pornography and of course child porn. This bill isn't about that. That stuff is illegal. That stuff is *prima facie* illegal. That stuff you get busted for—bang, Criminal Code. Never mind Minister Watson and his nonexistent team of investigators. That ministry, of course, has been gutted, as you well know, and flatlined once again, or reduced, in terms of the budget. Was it reduced? Yes. There's nothing left there. There is nothing left of that ministry, the Ministry of Consumer and Commercial Relations.

I want to thank the pages. I thank them on behalf of New Democrats most sincerely. They are bright young people and very capable.

I want to thank Frank Addario. Frank Addario was the lawyer who acted for Glad Day books in the litigation before Judge Juriensz. He is one of this country's best young legal minds and has taken on some of the most challenging and complex charter cases, among others. His work in the Glad Day case was critical to generating not just a response by the government—of course, the government failed that with Bill 158 because it maintains censorship powers—but more importantly, a review, a reconsideration of this whole business of forcing filmmakers, as compared to poets, authors, novelists, playwrights, sculptors, musicians, artists—none of them have to submit their work for classification before it can be performed or displayed, do they? Yet a filmmaker does. There's something very peculiar about that. We're saying, as everybody in this debate has said, that the prospect of classification as a consumer aid is a very desirable thing. We agree the state should be in the position of providing it. But it shouldn't be a precondition, for a creative person to produce something and to display it, that it be submitted for a classification process.

I want to thank the Canadian Civil Liberties Association. They, of course, were instrumental in the litigation; the prosecution of Glad Day books by this province. Alan Borovoy and his stewardship of that organization—talk about somebody who should be short-listed for sainthood. He's still alive, and he still should be short-listed for sainthood, even as a live person. What an incredible, strong, effective and important voice for civil liberties. He is a Canadian treasure.

His staff and the Canadian Civil Liberties Association were present at the committee hearings and made their submission. Regrettably, the government chose to ignore what they had to say. I tell you this: Ignore Alan Borovoy at your peril. There's very little documentation of his ever having been wrong, in terms of his interpretation of the law and certainly in terms of his interpretation of what's right in a free and democratic society.

New Democrats have been put in a position where we will not support illegal legislation. This bill offends the ruling. It fails to comply with the ruling. It continues to violate the principles that were the foundation of that ruling. We reject this bill on that basis. This bill, furthermore, fails to understand what artistic expression means in a free and democratic society. While we understand the importance of film classification as a guide to consumers, we reject film classification as an artificial form of pre-screening expression that should, in a free and democratic society, be free and unfettered.

**The Acting Speaker:** Questions and comments? Seeing none, are there any other honourable members who wish to participate in the debate? Seeing none, does the minister wish to make a reply? No.

The minister has moved third reading of Bill 158. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion, please say "nay."

In my opinion, the nays have it.

Call in the members; this will be a 30-minute bell.

Pursuant to standing order 28(h), it's requested that the vote on the motion by Mr. Watson for third reading of Bill 158, An Act to replace the Theatres Act and to amend other Acts in respect of film, be deferred until May 30, 2005.

Orders of the day.

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until Monday, May 30, at 1:30 p.m.

*The House adjourned at 1659.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiques et de l'Immigration
Ancaster-Dundas-	McMeekin, Ted (L)		Marsales, Judy (L)
Flamborough-Aldershot			
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative	Hamilton West / Hamilton-Ouest	
	Prue, Michael (ND)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of the Environment / ministre de l'Environnement
Beaches-East York /			Mitchell, Carol (L)
Beaches-York-Est		Huron-Bruce	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Bramalea-Gore-Malton-	Kular, Kuldip (L)	Kenora-Rainy River	
Springdale			
Brampton Centre /	Jeffrey, Linda (L)		
Brampton-Centre		Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Brampton West-Mississauga /	Dhillon, Vic (L)		Milloy, John (L)
Brampton-Ouest-Mississauga		Kitchener Centre / Kitchener-Centre	Witmer, Elizabeth (PC)
Brant	Levac, Dave (L)	Kitchener-Waterloo	Van Bommel, Maria (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Lambton-Kent-Middlesex	Sterling, Norman W. (PC)
Burlington	Jackson, Cameron (PC)	Lanark-Carleton	Runciman, Robert W. (PC)
Cambridge	Martiniuk, Gerry (PC)	Leeds-Grenville	Matthews, Deborah (L)
Chatham-Kent Essex	Hoy, Pat (L)	London North Centre / London-Centre-Nord	
Davenport	Ruprecht, Tony (L)	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Labour / ministre du Travail
Don Valley East /	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	London-Fanshawe	Ramal, Khalil (L)
Don Valley-Est	Wynne, Kathleen O. (L)	Markham	Wong, Tony C. (L)
		Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Transportation / ministre des Transports
Don Valley West /			Fonseca, Peter (L)
Don Valley-Ouest		Mississauga East / Mississauga-Est	Peterson, Tim (L)
Dufferin-Peel-	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Mississauga South / Mississauga-Sud	
Wellington-Grey	O'Toole, John (PC)	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Durham	Colle, Mike (L)	Nepean-Carleton	Baird, John R. (PC)
Eglinton-Lawrence	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Elgin-Middlesex-London	Hudak, Tim (PC)	Niagara Falls	Craiton, Kim (L)
		Nickel Belt	Martel, Shelley (ND)
Erie-Lincoln	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Nipissing	Smith, Monique M. (L)
Essex	Cansfield, Donna H. (L)	Northumberland	Rinaldi, Lou (L)
		Oak Ridges	Klees, Frank (PC)
Etobicoke Centre /		Oakville	Flynn, Kevin Daniel (L)
Etobicoke-Centre		Oshawa	Ouellette, Jerry J. (PC)
Etobicoke North /	Qadri, Shafiq (L)	Ottawa Centre / Ottawa-Centre	Patten, Richard (L)
Etobicoke-Nord			
Etobicoke-Lakeshore	Broten, Laurel C. (L)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Sandals, Liz (L)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Scott, Laurie (PC)		
Halton	Chudleigh, Ted (PC)		
Hamilton East /	Horwath, Andrea (ND)		
Hamilton-Est			



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton (L)</b> Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Stoney Creek Stormont–Dundas– Charlottenburgh Sudbury	Mossop, Jennifer F. (L) Brownell, Jim (L)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim (L)</b> Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Thornhill Thunder Bay–Atikokan Thunder Bay–Superior North / Thunder Bay–Superior– Nord	<b>Bartolucci, Hon. / L'hon. Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines Racco, Mario G. (L) Mauro, Bill (L) Gravelle, Michael (L)
Ottawa–Orléans Ottawa–Vanier	McNeely, Phil (L) <b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David (L)</b> Minister of Natural Resources / ministre des Richesses naturelles Bisson, Gilles (ND)
Oxford Parkdale–High Park	Hardeman, Ernie (PC) <b>Kennedy, Hon. / L'hon. Gerard (L)</b> Minister of Education / ministre de l'Éducation	Timmins–James Bay / Timmins–Baie James Toronto Centre–Rosedale / Toronto–Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée Churley, Marilyn (ND) Marchese, Rosario (ND)
Parry Sound–Muskoka Perth–Middlesex Peterborough Pickering–Ajax–Uxbridge Prince Edward–Hastings Renfrew–Nipissing–Pembroke Sarnia–Lambton Sault Ste. Marie Scarborough Centre / Scarborough–Centre Scarborough East / Scarborough–Est	Miller, Norm (PC) Wilkinson, John (L) Leal, Jeff (L) Arthurs, Wayne (L) Parsons, Ernie (L) Yakabuski, John (PC) Di Cocco, Caroline (L) Oraziotti, David (L) Duguid, Brad (L)	Toronto–Danforth Trinity–Spadina Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg (L)</b> Minister of Finance / ministre des Finances <b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative Flaherty, Jim (PC) Zimmer, David (L)
Scarborough Southwest / Scarborough-Sud-Ouest Scarborough–Agincourt	<b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités Berardinetti, Lorenzo (L)	Waterloo–Wellington	<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Scarborough–Rouge River	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Simcoe North / Simcoe–Nord Simcoe–Grey St. Catharines	<b>Curling, Hon. / L'hon. Alvin (L)</b> Speaker / Président Dunlop, Garfield (PC)	Whitby–Ajax Willowdale Windsor West / Windsor–Ouest	<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels Munro, Julia (PC)
St. Paul's	Wilson, Jim (PC) <b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs <b>Bryant, Hon. / L'hon. Michael (L)</b> Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique	York Centre / York–Centre  York North / York–Nord York South–Weston / York–Sud–Weston  York West / York–Ouest	<b>Cordiano, Hon. / L'hon. Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

## STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE

### **Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: John O'Toole  
Wayne Arthurs, Caroline Di Cocco, Andrea Horwath,  
Cameron Jackson, Kuldip Kular, Phil McNeely  
John Milloy, John O'Toole, Jim Wilson  
Clerk / Greffier: Trevor Day

### **Finance and economic affairs / Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Toby Barrett, Mike Colle, Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell, John O'Toole,  
Michael Prue, John Wilkinson  
Clerk / Greffier: Trevor Day

### **General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Vic Dhillon  
Marilyn Churley, Vic Dhillon, Brad Duguid,  
Linda Jeffrey, Jean-Marc Lalonde,  
Deborah Matthews, Jerry J. Ouellette,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Tonia Grannum

### **Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Présidente: Andrea Horwath  
Lorenzo Berardinetti, Michael Gravelle,  
Andrea Horwath, Tim Hudak,  
David Oraziotti, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona  
Clerk / Greffière: Susan Sourial

### **Justice Policy / Justice**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-Président: Bob Delaney  
Michael A. Brown, Jim Brownell, Bob Delaney,  
Kevin Daniel Flynn, Frank Klees, Peter Kormos,  
Shafiq Qaadri, Mario G. Racco, Elizabeth Witmer  
Clerk / Greffier: Katch Koch

### **Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Donna H. Cansfield, Bob Delaney,  
Ernie Hardeman, Rosario Marchese, Ted McMeekin,  
Norm Miller, Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffier: Douglas Arnott

### **Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Laurel C. Broten, Jim Flaherty, Shelley Martel,  
Bill Mauro, Julia Munro, Richard Patten,  
Liz Sandals, Norman W. Sterling, David Zimmer  
Clerk / Greffière: Susan Sourial

### **Regulations and private bills / Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Marilyn Churley  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Marilyn Churley, Kim Craiton,  
Kuldip Kular, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Maria Van Bommel, Tony C. Wong  
Clerk / Greffière: Tonia Grannum

### **Social Policy / Politique sociale**

Chair / Président: Mario G. Racco  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Arnott, Ted Chudleigh, Kim Craiton,  
Peter Fonseca, Jeff Leal, Rosario Marchese,  
Mario G. Racco, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes



## TABLE DES MATIÈRES

**Jeudi 19 mai 2005**

### **AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS**

**Loi de 2005 modifiant la Loi sur  
la protection de l'environnement  
(gérance des produits),  
projet de loi 195, *M. Miller*  
Adoptée.....7191**

**Loi de 2005 sur les prêts sur  
salaire,  
projet de loi 193, *M. Kormos*  
Adoptée.....7191**

### **PREMIÈRE LECTURE**

**Loi de 2005 sur la Commission  
ontarienne de délimitation  
des circonscriptions électorales,  
projet de loi 204, *M. Sterling*  
Adoptée.....7194**

### **TROISIÈME LECTURE**

**Loi de 2005 modifiant la Loi  
sur l'éducation, projet de loi 194,  
*M. Kennedy*  
Adoptée.....7197**

**Loi de 2005 sur le classement  
des films, projet de loi 158,  
*M. Watson*  
Vote différé.....7219**

# CONTENTS

Thursday 19 May 2005

## PRIVATE MEMBERS' PUBLIC BUSINESS

### Environmental Protection

#### Amendment Act (Product Stewardship), 2005, Bill 195,

*Mr. Miller*

Mr. Miller ..... 7175, 7183

Mr. Craiton ..... 7176

Ms. Scott ..... 7177

Ms. Horwath ..... 7178

Mr. Ramal ..... 7180

Mr. Arnott ..... 7181

Mr. Wilkinson ..... 7182

Agreed to ..... 7191

### Payday Loans Act, 2005, Bill 193,

*Mr. Kormos*

Mr. Kormos ..... 7183, 7190

Mr. Chudleigh ..... 7185

Mr. McMeekin ..... 7186

Ms. Horwath ..... 7186

Mr. Leal ..... 7188

Mr. Klees ..... 7189

Mr. Levac ..... 7190

Agreed to ..... 7191

## MEMBERS' STATEMENTS

### Forest industry

Mr. Miller ..... 7191

### Refinery closure

Ms. Martel ..... 7192

### Soccer exchange

Mr. Arthurs ..... 7192

### Mississauga Youth Week

Mr. Fonseca ..... 7192

### Community colleges

Ms. Scott ..... 7192

### Nurses

Mr. McMeekin ..... 7193

### Electoral boundaries

Mr. Sterling ..... 7193

### Magnetic resonance imaging

Mr. Parsons ..... 7193

### Bob Hunter

Mr. Colle ..... 7194

## REPORTS BY COMMITTEES

### Standing committee on finance and economic affairs

Mr. McNeely ..... 7194

Report adopted ..... 7194

## FIRST READINGS

### Tyndale University College & Seminary Act, 2005,

Bill Pr12, *Mr. Klees*

Agreed to ..... 7194

## Electoral Boundaries Commission

(Ontario) Act, 2005, Bill 204,

*Mr. Sterling*

Agreed to ..... 7194

Mr. Sterling ..... 7194

## MOTIONS

### House sittings

Mr. Duncan ..... 7195

Agreed to ..... 7195

## STATEMENTS BY THE MINISTRY AND RESPONSES

### Walkerton tragedy

Mrs. Dombrowsky ..... 7195

Mr. Barrett ..... 7196

Ms. Churley ..... 7196

## ORAL QUESTIONS

### Hydro generation

Mr. Tory ..... 7198

Mr. McGuinty ..... 7198

Mr. Duncan ..... 7198

### Community health services

Mr. Tory ..... 7199

Mr. McGuinty ..... 7199

### Ontario disability support program

Mr. Hampton ..... 7199

Mr. McGuinty ..... 7200

Ms. Pupatello ..... 7200

### Low-income Ontarians

Mr. Hampton ..... 7200

Mr. McGuinty ..... 7201

### Adoption disclosure

Mrs. Witmer ..... 7201

Ms. Pupatello ..... 7202

### Environmental legislation

Ms. Churley ..... 7202

Mrs. Dombrowsky ..... 7202

### Toronto legislation

Mr. Colle ..... 7203

Mr. Gerretsen ..... 7203

Mr. McNeely ..... 7203

### Justice system

Mr. Tascona ..... 7203

Mr. Bryant ..... 7203

### Office of the Registrar General

Mr. Hampton ..... 7204

Mr. Watson ..... 7204

### Student dropout rate

Mrs. Van Bommel ..... 7204

Mr. Kennedy ..... 7205

## Plant closure

Mr. Chudleigh ..... 7205

Mr. Cordiano ..... 7205

## Highway 406

Mr. Kormos ..... 7206

Mr. Bradley ..... 7206

## Services for the developmentally disabled

Mr. Leal ..... 7206

Ms. Pupatello ..... 7206

## PETITIONS

### Community health centres

Ms. Scott ..... 7207, 7210

### Leslie M. Frost Centre

Ms. Scott ..... 7207, 7209

### Health care funding

Mr. Hudak ..... 7207

### Chiropractic services

Mr. Hudak ..... 7207, 7208, 7209

### Regional centres for the developmentally disabled

Ms. Scott ..... 7208

### Ontario budget

Mr. Berardinetti ..... 7208

### Health care

Ms. Scott ..... 7208

### Ontario farmers

Mr. Hardeman ..... 7209

## THIRD READINGS

### Education Amendment Act, 2005,

Bill 194, *Mr. Kennedy*

Agreed to ..... 7197

### Film Classification Act, 2005,

Bill 158, *Mr. Watson*

Mr. Watson ..... 7210

Mr. Klees ..... 7212

Mr. Chudleigh ..... 7213

Ms. Scott ..... 7216

Mr. Kormos ..... 7216

Vote deferred ..... 7219

## OTHER BUSINESS

### Legislative pages

The Speaker ..... 7198

*Continued overleaf*





No. 150A

N° 150A

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 30 May 2005**

**Lundi 30 mai 2005**



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

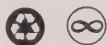
L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 30 May 2005

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 30 mai 2005

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### VOLUNTEERS

**Mr. Norm Miller (Parry Sound–Muskoka):** It is my pleasure to recognize the outstanding contributions made by some of the many community volunteers within the riding of Parry Sound–Muskoka.

Last month, three volunteers who have given 20 years or more of service to Fairvern Nursing Home in Huntsville were recognized at the home's eighth annual volunteer luncheon. Violet Hipgrave, Bill McLean and Eileen Baron had their names added to an ever-growing list of volunteers.

Volunteer Doris Gonder also received the Ontario Long Term Care Association Circle of Excellence certificate from Fairvern board chair Sue Dixon. Doris has been a volunteer at Fairvern since 1988. She recruits, trains and coordinates volunteers for her music program.

As well, recently Huntsville hospital CEO Vaughn Adamson recognized over 50 years of volunteering by the Huntsville hospital auxiliary.

The Port Sydney–Utterson and Area Chamber of Commerce named Cyrle Somerset citizen of the year for his dedication to the community. Cyrle retired this year, after 47 years of service with the local volunteer fire department.

In Parry Sound, the firefighters' association has been fundraising to support district children's aid societies so that area children have the opportunity to go to camp. The Gravenhurst Lions Club, Bracebridge Rotary Club and Huntsville Knights of Columbus members have been out in full force helping to clean up stretches of area highways.

These are but a few of the many individuals and groups who have volunteered in their communities in Parry Sound–Muskoka. They are what make our communities so special and bind them together.

I would like to thank the many volunteers who enrich their communities by selflessly contributing their time, energy and talents.

#### LONDON KNIGHTS

**Ms. Deborah Matthews (London North Centre):** We had quite a day in London yesterday; in fact, I hear

the party is still going strong. In a stunning 4-0 victory, the London Knights trounced the Rimouski Océanic to win the Memorial Cup, and convincingly proved to the country what everyone in London has known since last fall: that the Knights are real champions. Their record this season was 79-9-2, a record-setting winning percentage in the history of the CHL. Indeed, our Knights set the OHL record for having set the most records: 15 new records in one season. Of course, the crowning glory was yesterday's win at the remarkable John Labatt Centre, a day that some are calling the greatest in London sports history.

I'd like to take this opportunity—I know I'm joined by all the members of this House—to congratulate each and every member of the London Knights team. Congratulations to Dale and Mark Hunter and their support staff, especially the legendary trainer Don Brankley, who actually lives at the JLC. I'd like to congratulate Peterborough native—I'm reminded by my colleague here—Corey Perry and every single player on the London Knights team. You've made us all very proud to have shared in your journey and to have witnessed your fabulous victory. You played like champions all season long, and this win shows the results of your hard work, your determination and, if I may say it, your true grit. Your spirit inspired our city as we showed once again that London knows how to put on a great event.

Thanks to all those who volunteered, sponsored, worked and cheered to ensure that the Memorial Cup was a great success and that our London Knights were victorious. It truly was a fitting end to the greatest season in junior hockey history.

#### RIDE FOR DAD

**Mr. Garfield Dunlop (Simcoe North):** I too would like to congratulate the London Knights on a wonderful victory.

On Saturday, May 28, I had the privilege of participating in the first annual Ride for Dad prostate cancer awareness program. It was held in north Simcoe county. It took off from the Ontario Provincial Police general headquarters, and over 500 powerful motorcycles toured throughout north Simcoe promoting awareness and raising funds for prostate cancer research. As I said earlier, they call it the Ride for Dad. I was happy to see participants from all over Simcoe county, as well as a number of people from throughout the province, participating in this wonderful event.

There are a lot of people I'd like to thank. First of all, I'd like to thank Commissioner Gwen Boniface and the people at the general headquarters of the OPP for allowing the facility to be used as the starting point, and all the media, who drew a lot of attention to the event as well. The key point here is that in Simcoe county we're desperately lobbying the provincial government for funding for a Cancer Care Ontario unit. Any funding that will help with prostate cancer research will make this unit even more viable. The county of Simcoe is growing at a fairly alarming rate, and we know that the Royal Victoria Hospital in Barrie would like to be the site of a Cancer Care Ontario unit in the future.

I want to thank all those who participated in the event. On Friday night alone, they raised over \$30,000 from people registering. I haven't heard the final outcome, but I can guarantee that it will be somewhere between \$50,000 and \$60,000. I want to congratulate all those who participated and organized the event.

#### FEDERATION OF METRO TENANTS' ASSOCIATIONS

**Mr. Michael Prue (Beaches–East York):** This past Saturday, May 28, I had an opportunity to attend the Federation of Metro Tenants' Associations' annual meeting, held here in Toronto. It was a meeting of tenants from across Toronto, and a few who came from the wider area of the GTA.

I promised them to deliver this message here in the House today: There is a huge level of frustration amongst the tenants and tenants' groups in the Toronto area, and probably across Ontario. They were promised that there were going to be some major changes to the Tenant Protection Act. We all know that act because it does everything except protect tenants. It protects landlords but not tenants. They were expecting some major changes to the rent review tribunal, and at this stage, all they can say is that they have been kept in the dark.

1340

Two years ago, this government promised them that there would be a new act; there has been no new act. They promised them that there would be some changes made, but we know that has all died in cabinet. All we know at this stage is that the landlord lobby appears to be on the ascendancy, and they appear to be very effective.

The tenants themselves are nervous. In seven more days, we will end this session of the Legislature. By the time we come back, more than two years will have elapsed with them working under laws that are really arcane and outdated.

The tenants ask two things: (1) If you are not going to change the act, can this government at least remove the principle of "costs no longer borne," and (2) if you're not going to change the act, at least change the chair of the rent tribunal review process so that they have a chance. That's what they're asking this government.

#### STUDENTS IN THORNHILL

**Mr. Mario G. Racco (Thornhill):** On Tuesday, May 25, I welcomed my colleagues' challenge and went back to school. I visited grade 10 students at Thornhill Secondary and Vaughan Secondary School. I participated in four civics classes and spoke to the students about my responsibilities at Queen's Park and the difference between provincial, federal and municipal responsibilities. I was able to speak with both students and faculty.

My objective was to try to get a better understanding of the student population, what they expect from the education system and what they feel they are getting from it. I must say that the students were very well prepared for my visit and they had a lot of great questions and comments. I certainly feel that I have a better understanding of the young people who live in my riding.

My day did not end there. I also attended the second annual RAV FM charity concert. Vaughan Secondary School houses Ontario's first fully equipped high school radio station. It is heard by the Vaughan Secondary School community and broadcast on the World Wide Web. The concert showcased local bands, and proceeds went to the Stephen Lewis Foundation, a charity dedicated to easing the pain caused by the raging AIDS epidemic in Africa.

It was a great experience to go back to school. I met some of the most motivated and talented young people in my riding.

#### RURAL ONTARIO

**Mr. Robert W. Runciman (Leeds–Grenville):** Residents of small-town, rural Ontario are becoming increasingly aware of a sobering fact: This McGuinty Liberal government has little understanding of and no empathy for the rural way of life in our province and the history and traditions associated with it.

In the Liberal government's latest assault on the rural way of life, they've dispatched their troops in district health units to stop the sale of jams, relishes, preserves and baked goods at farm markets unless those products are produced in special licensed kitchens, separate from family kitchens.

While market products are in the gun sights now, these requirements also apply to food prepared for church dinners, potluck suppers and even bake sales held to raise money for school activities.

I've never heard of anyone becoming ill from products bought at a country market or people attending church dinners or potluck suppers. Incredibly, while I was hearing about the assault on market producers, provincial media were blasting reports about 160 diners becoming ill in Burlington after attending a buffet prepared by a professional caterer who prepares his meals in a licensed kitchen regularly inspected by the area health unit.

The Toronto-centric bias of the McGuinty Liberal government is at the root of this assault on small-town, rural traditions. Anger is growing, and I urge the govern-



ment to step back and bring common sense to our laws and their application.

### POST-SECONDARY EDUCATION

**Mr. Mario Sergio (York West):** My riding of York West is host to York University's 50,000 students and 7,000-member faculty and staff. The May 11 budget infused \$6.2 billion into post-secondary education. It therefore gives me great pleasure to rise in the House and share in the elation of this dynamic academic community.

As the third-largest university in the country, its president and vice-chancellor, Dr. Lorna Marsden, welcomed the package: "We would like to congratulate the McGuinty government for honouring the vision of the Rae report and for recognizing the crucial role universities play in building Ontario's future."

The budget's increased accessibility to funding will mean higher enrolment, more graduate spaces, a 15% increase in first-year medical spaces and will dramatically improve student assistance.

More than 135,000 students will benefit from enhanced assistance this year, including 32,000 students who will receive a new tuition grant for those with the lowest incomes. Over the course of this plan, funding available for student aid will double. There is also a reduction in the contribution for parents with dependent students. Tuition fees will be frozen for a second straight year, with more faculty at colleges and universities to accommodate higher enrolment and help students succeed, and 7,000 new annual entrants into apprenticeship, reaching 26,000 by 2007-08.

These are just some of the ways that the McGuinty government is helping our young people prepare for the future and succeed in today's global market.

### RESEARCH AND DEVELOPMENT

**Mr. Phil McNeely (Ottawa—Orléans):** Last week, alongside our Premier, I had the privilege of celebrating the inauguration of the new biosciences complex at the University of Ottawa. This state-of-the-art complex will be on the cutting edge of research and will be the most advanced research and learning facility of its kind in Canada. Leading researchers, educators and students will collaborate under one roof to develop strategies and solutions that will protect the environment and human health.

This type of facility puts Ontario at the forefront of research both here and abroad. This government knows that research and innovation are strong economic drivers that benefit all Ontarians. We also know that being competitive on an international scale requires ongoing government support. That is why we are committed to increasing the research capacity of Ontario, and are doing so by providing \$730 million in funding through the Ontario research fund, as outlined in our budget. A full \$300 million of that funding is allotted for research infrastructure for projects just like this one. When we

provide the best facilities, we attract the best talent from around the globe.

Not only will Ontario be attracting established minds; we will also be ensuring that our province is creating and fostering our own talent, talent that will be among the best in the world. I am proud of the University of Ottawa for this accomplishment. I am proud that our province is providing strong support to research and innovation in Ontario.

### CERTIFIED MANAGEMENT ACCOUNTANTS

**Mr. Jean-Marc Lalonde (Glengarry—Prescott—Russell):** It is with pleasure that I rise in the House to extend a very warm welcome to representatives from the Certified Management Accountants of Ontario, who are here with us at the Legislature today to highlight the important work that the members of their profession do not only in communities throughout Ontario, but all across Canada.

Certified management accountants, or CMAs, are strategic financial management professionals who combine accounting expertise with professional management skills to provide leadership, innovation and an integrating perspective to organizational decision-making. As accomplished financial professionals, CMAs bring a strong market focus to strategic management to enhance sector competitiveness. They are found in all areas of the private and public sectors, including the Ontario public service, and even among MPPs themselves, including the Minister of Transportation.

Today, CMAs from all across Ontario are here to meet with MPPs and political and public service staff to learn more about government and legislative processes and to share their views on how CMAs can help all parties in the Legislature strengthen their financial management and performance measurement techniques. CMA Ontario is also hosting a reception here in the Legislature this evening where MPPs will have a chance to speak directly with CMAs from across Ontario and take a look at some innovative displays. I would encourage all members to attend.

### SPECIAL REPORT, OMBUDSMAN

**The Speaker (Hon. Alvin Curling):** I beg to inform the House that I have today laid upon the table a report of the Ombudsman of Ontario, made pursuant to section 21(4) of the Ombudsman Act, entitled *Between a Rock and a Hard Place*.

Reports by committees? Member for Thornhill.

**Mr. Mario G. Racco (Thornhill):** I move that leave be given to introduce a bill entitled *An Act to revive Acton Disposal Services Ltd.*—

**The Speaker:** Order. I haven't called introduction of bills as yet.

1350

## VISITORS

**The Speaker (Hon. Alvin Curling):** We have with us in the Speaker's gallery a parliamentary delegation from the Provincial Assembly of the Punjab, Pakistan, led by the Deputy Speaker, Sardar Shaukat Hussain Mazari. The Consul General is also with us. Please join me in warmly welcoming our guests.

**Hon. Jim Watson (Minister of Consumer and Business Services):** On a point of order, Mr. Speaker: I've never done this before, so it may not be a point of order, but I'd like to point out that my niece Olivia Froislie and her friend Maya English are here all the way from Ottawa.

**The Speaker:** The minister is so right; it's not a point of order, and I can see you've done it the first time. They are also welcome.

## INTRODUCTION OF BILLS

DEVELOPMENTAL SERVICES  
AMENDMENT ACT, 2005LOI DE 2005 MODIFIANT LA LOI  
SUR LES SERVICES AUX PERSONNES  
AYANT UNE DÉFICIENCE  
INTELLECTUELLE

Mr. Dunlop moved first reading of the following bill:

Bill 205, An Act to amend the Developmental Services Act / Projet de loi 205, Loi modifiant la Loi sur les services aux personnes ayant une déficience intellectuelle.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr. Garfield Dunlop (Simcoe North):** The bill amends the Developmental Services Act to require the minister, under the act, to operate and maintain the present facilities for persons with developmental disabilities under the following names: Huronia Regional Centre of Excellence at Orillia, Rideau Regional Centre of Excellence at Smiths Falls, and Southwestern Regional Centre of Excellence at Cedar Springs. The bill prevents the minister from establishing any further facilities.

ACTON DISPOSAL  
SERVICES LIMITED ACT, 2005

Mr. Racco moved first reading of the following bill:

Bill Pr9, An Act to revive Acton Disposal Services Limited.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

TORONTO ATMOSPHERIC FUND  
ACT, 2005

Mr. Duguid moved first reading of the following bill:

Bill Pr15, An Act respecting the Toronto Atmospheric Fund and the Clean Air Partnership (formerly known as the Toronto Atmospheric Fund Foundation).

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

## MOTIONS

## COMMITTEE SITTINGS

**Hon. Christopher Bentley (Minister of Labour):** Mr. Speaker, I believe we have unanimous consent to move a motion without notice regarding the standing committee on the Legislative Assembly.

**The Speaker (Hon. Alvin Curling):** Do we have unanimous consent? Agreed.

**Hon. Mr. Bentley:** I move that, in addition to their regularly scheduled meeting times, the standing committee on the Legislative Assembly be authorized to meet on Monday, May 30, 2005, for the purpose of considering Bill 133, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act in respect of enforcement and other matters.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## HOUSE SITTINGS

**Hon. Christopher Bentley (Minister of Labour):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, May 30, 2005, for the purpose of considering government business.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry?

All in favour, please say "aye."

All those against, please say "nay."

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1357 to 1402.*

**The Speaker:** Order. Would all members please take their seats.

Mr. Bentley has moved government notice of motion 376.

All those in favour, please rise one at a time and be recognized by the Clerk.

## Ayes

Arthurs, Wayne	Gravelle, Michael	Peters, Steve
Baird, John R.	Hoy, Pat	Peterson, Tim
Barrett, Toby	Hudak, Tim	Phillips, Gerry
Bartolucci, Rick	Jackson, Cameron	Pupatello, Sandra
Bentley, Christopher	Jeffrey, Linda	Racco, Mario G.
Berardinetti, Lorenzo	Kular, Kuldeep	Rinaldi, Lou
Bountrogianni, Marie	Kwinter, Monte	Runciman, Robert W.
Bradley, James J.	Lalonde, Jean-Marc	Sandals, Liz
Broten, Laurel C.	Leal, Jeff	Scott, Laurie
Brownell, Jim	Levac, Dave	Sergio, Mario
Bryant, Michael	Marsales, Judy	Smith, Monique
Cansfield, Donna H.	Martiniuk, Gerry	Smitherman, George



Chambers, Mary Anne V.  
Colle, Mike  
Cordiano, Joseph  
Craitor, Kim  
Delaney, Bob  
Di Cocco, Caroline  
Duguid, Brad  
Duncan, Dwight  
Dunlop, Garfield  
Flynn, Kevin Daniel  
Fonseca, Peter  
Gerretsen, John

Matthews, Deborah  
Mauro, Bill  
McMeekin, Ted  
McNeely, Phil  
Meilleur, Madeleine  
Miller, Norm  
Milloy, John  
Mitchell, Carol  
Mossop, Jennifer F.  
Munro, Julia  
O'Toole, John  
Parsons, Ernie

Sterling, Norman W.  
Takhar, Harinder S.  
Tory, John  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wilson, Jim  
Witmer, Elizabeth  
Wong, Tony C.  
Wynne, Kathleen O.  
Yakubski, John  
Zimmer, David

**The Speaker:** All those against, please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles  
Chudleigh, Ted  
Horwath, Andrea

Kormos, Peter  
Marchese, Rosario  
Martel, Shelley

Ouellette, Jerry J.  
Prue, Michael

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 72; the nays are 8.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### HEALTH CARE

**Hon. George Smitherman (Minister of Health and Long-Term Care):** It is with great pleasure that I rise in my place today to tell my colleagues about yet another important step forward we have taken toward building the kind of health care system Ontarians need and the one that they deserve.

As you know, the government has a plan to reduce wait times in five critical areas: cancer surgery, cardiac procedures, hip and knee joint replacement, cataract surgery, and access to MRI and CT scans. These are areas associated with a high degree of disease and disability, and Ontarians have told us that they're a big priority.

We are investing \$154 million to fund about 67,700 additional procedures in these priority areas in 2005-06. That's 4,300 more total hip and knee joint replacements, 14,000 additional cataract surgeries, 39,500 more MRI operating exams, 7,000 more cardiac procedures and 2,900 additional cancer surgeries. Just to give my friends a bit of context for these numbers, that means 16% more hip and knee joint replacements, 13% more cataract surgeries and a 7% increase in cardiac procedures, the single largest increase in these areas in more than a decade.

As for MRI exams, this year's investment, along with the investments we announced last year for new and replacement MRIs, will yield a 24% increase in the number of MRI exams this year. All of this builds on the extraordinary investment we made last year when we funded a total of 135,200 new procedures. That's more than the population of St. Catharines.

I am sure that members on both sides of this House can see what an extraordinary difference this will make in the lives of thousands and thousands of Ontarians who are going to receive faster access to a procedure that could save their life, improve their vision or their mobility, or perhaps diagnose an ailment in time to make a difference in fighting it. And it is already happening. Many of my friends will have seen the recent reports out of Kingston, where wait times for non-urgent MRIs have dropped from more than four months half a year ago to just a week today. Yes, that's true: just one week today.

Our plan is working and every new procedure we deliver makes a difference of some kind in somebody's life. That's why we've made reducing wait times the priority that we have. But I want to make it clear that our strategy involves more than simply funding new procedures; it means creating a system to deliver them. A critical part of reducing wait times is managing wait times, and until now there really has not been a system in place for doing this.

According to a survey we conducted last summer, MRI wait times varied then from four weeks to 50, depending upon which hospital you were at. That's not a system; it's a roll of the dice. We're changing that. For the first time ever, we're building a system in Ontario to measure and report to patients on a Web site about the state of wait times in this province.

By December 2006, we will have established a comprehensive provincial registry that will regularly post information about wait times in our five key areas to the Web site. Eventually, we will expand this registry to include all surgeries delivered in Ontario. This is hugely significant. With this information, Ontarians will be able to see for themselves how long people are waiting for which services and where. This will allow patients to make informed choices about their health care, and it will make it much easier for doctors to set priorities based on the needs of their patients. It will allow us to set targets so that patients and providers alike will know how long a wait is appropriate for a given procedure and how long is too long.

Because wait times will be broken out and reported for each local health integration network, we will be able to ensure that there are no longer the kinds of discrepancies across the province that we see today. This will be an end to that inequity.

#### 1410

I have often said that wait times are an important barometer in health care. People judge the quality of their health care system by how long they have to wait for procedures that they need. For that reason, we have an obligation to ensure not only that Ontarians are getting information about wait times but also that they know the information is accurate. The new Ontario Health Quality Council, which will be up and running this summer, will provide that reassurance. It will be an independent monitoring council that makes annual reports on how our health care system is performing, including the progress the government is making on health priorities like wait

times. People will be able to judge for themselves whether our health involvements are yielding the results they should be.

The McGuinty government shares a vision with Ontarians of a health care system that will help keep them healthier, provide them with good care when they get sick, and will be there for them and for other generations to come. With the investments we're making in reducing wait times and improving access, we have been taking a very big step forward to make that vision a reality for Ontario's patients.

## CLASS SIZE

### TAILLE DES CLASSES SCOLAIRES

**Hon. Gerard Kennedy (Minister of Education):** I rise to speak to the House today about the government's commitment to help our youngest students get the education they need to succeed.

This September, elementary students will get more from this government: more individual attention through smaller class sizes, more specialist teachers and more resources aimed to improve student achievement.

We are delivering on our plan to reduce class sizes in the kindergarten to grade 3 years. Last year, we made our first investment in class size reduction—\$90 million—and 1,100 new teachers were hired, reducing class sizes in approximately 1,300 schools. Our goal is to implement a cap of 20 students in the primary grades by the 2007-08 school year. We can take great pride in the fact that Ontario leads the country in its support for students in their critical early years of learning. I want to note the tremendous work that my colleague Mrs. Bountrogianni, the Minister of Children and Youth Services, has done with the Best Start program as a component of that.

This year, we will make even more progress by committing an additional \$126 million to continue reducing class sizes. This means that by September, 381,000 students—more than 70% of Ontario's JK to grade 3 students—will be benefiting from smaller class sizes.

It is crucial that students have the one-on-one attention with their teachers that they were missing in the past so that they can master the fundamentals, including reading, writing and mathematics. No child should get lost in the crowd, and every child deserves to have these resources and the programs they need to unlock their particular potential. Currently, about 60% of our 12-year-olds are meeting the provincial standard in these key subjects. Our goal is to see the achievement rise to 75% by 2008. Reducing class sizes in the primary years is an important element in meeting this goal.

Il est primordial que les élèves aient droit à l'attention individuelle qu'ils méritent de la part du personnel enseignant pour qu'ils puissent assimiler les notions de base en lecture, en écriture et en mathématiques. Aucun enfant ne devrait se perdre dans la masse. Chaque enfant a le droit de disposer des ressources et des programmes voulus pour lui permettre de réaliser son plein potentiel.

International studies support the fact that students do perform better in smaller class sizes. An inaugural study in Tennessee begun in 1990 and continuing today shows conclusively that primary school students in small classes perform significantly better in reading and mathematics, and gains were most pronounced with some of the most difficult-to-reach students from minority and disadvantaged backgrounds.

This morning, the Premier and I visited Holy Rosary elementary school, in the riding of my colleague the Honourable Michael Bryant. Last year, the school hired an additional full-time teacher as a result of the class size reduction funding and created a new grade 2 class. There was a dramatic reduction of all primary class sizes in the school; the classes went down from 26, 27 and 25 to 18, 16 and 17.

We visited a grade 1 class and spoke with the teacher, Enza Taddeo. Ms. Taddeo said that the small class sizes are giving teachers the opportunity to provide more intensive instruction. She said that this is especially critical when students who are struggling with basic language skills and others who are excelling are in the same class.

Ms. Taddeo is not the only one to share with us her story of how reduced class size is making a difference to her students. I heard from a mother, Julie Hillwood, who wrote to me about the changes she's seen in her son, based in part on the smaller size of his class. Ms. Hillwood said, "A smaller class size allowed my son's teacher to really get to know him. My son is a very bright child who needs an extra boost of confidence to perform academically. Due to a small class size his teacher was able to recognize this and work with us to achieve a learning plan that works for him. I know that had his class been bigger she could not have done this so effectively and he would have struggled to no avail. Now he can look forward to next year with confidence."

One teacher who wrote to me reported fewer discipline problems, another said that it was easier to get to students at all times of the day, and yet another said that there was more time to help students who needed extra attention, not just to develop cognitive and academic skills but emotional ones as well.

L'engagement pris par ce gouvernement au chapitre de la réduction des effectifs des classes produit des résultats et ne représente qu'un des volets de notre stratégie globale concernant l'éducation élémentaire. Nous augmentons aussi le nombre d'enseignantes et d'enseignants spécialisés dans les domaines clés que sont la littératie, la numératie, la musique, les arts et l'éducation physique, pour que les élèves reçoivent une éducation équilibrée et enrichie et que le personnel enseignant ait plus de temps pour se préparer à enseigner en salle de classe, corriger les travaux et rencontrer les parents.

While these teachers are contingent on successful labour agreements, we expect that there will be 600 additional specialist teachers in the arts, music and physical education this fall.

We have also invested \$18 million in local literacy and numeracy projects developed by school boards that



use strategies to improve student achievement. We expect that approximately 295,000 students will benefit from these 160 projects that are being supported.

Another \$7 million is being provided to ensure that teachers have access to the latest current teaching resources and techniques. Last summer, nearly 7,000 JK to grade 3 teachers participated in the government's summer literacy and numeracy training program. We've expanded that program this year so that it includes more sessions as well as training for teachers in grades 4 to 6.

This government has made excellence in public education a key priority. We've put our commitment behind education because we owe it to our students to provide the kind of education that they need in order to succeed. While there is, admittedly, more work to be done, we are making progress. Once again, schools across Ontario will be better this September.

**The Speaker (Hon. Alvin Curling):** Responses?

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** Today the government announced that it is investing \$126 million toward smaller class sizes, but there seems to be a gap between their promises and the real cost of actually fulfilling them. Estimates produced by the Ontario public service put the cost of placing a hard cap on class sizes at over \$1 billion. In fact, the Ontario public service estimated that in the second year of implementation, \$680 million would be needed to have a chance of meeting this target. The government is over half a billion dollars short in their investment.

It's time to come clean and admit this is an empty promise that they have no chance of keeping. If they thought they could reach this target of a 20-student hard cap, why won't the minister provide information regarding class sizes across the province?

Your Premier, the self-proclaimed education Premier, said, "It's time for a government that will keep rural schools open." Can you, as education minister, tell us today how many rural schools will be closed this coming year? Can you tell us, in light of the Premier's statements, how many rural schools will be closed this year?

At the minister's announcement last week at a primary school, there were vending machines of pop, chocolate bars and chips—just another broken promise.

1420

## HEALTH CARE

**Mr. John R. Baird (Nepean-Carleton):** I rise to respond to the announcement made by the Minister of Health. The Minister of Health talks about reducing wait times. This minister's own health care guru acknowledges that the McGuinty Liberal government here in Ontario doesn't even track waiting times, and despite 18 long months in office, they're no closer to tracking wait times than they were when they took office. Apparently, we're going to have to wait 18 more long months before they will be able to track these waiting lists for health care.

We have an aging population. We have a population which is becoming in need of more medical procedures, and this government won't even commit that waiting lists will go down. When Conservatives have asked, "Will you stand in your place and tell us whether waiting lists will go down?" we don't get any commitment, we don't get any guarantee, and there's a reason for that.

This minister gets up and talks about support for Ontario hospitals. Let's look at the men and women who work in our hospital system. Let's look at what they're saying about health care in the province of Ontario.

The Ontario Hospital Association, the committed group of men and women who represent our publicly funded hospitals, say, "Ontario will remain near the bottom of the Canadian pack in terms of its per capita spending on hospitals." And it's getting worse.

*Interjection.*

**Mr. Baird:** What did the minister say?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Because they're larger.

**Mr. Baird:** They're larger. What about per capita spending? Ontario's larger, Minister. We need more hospital supports and services.

Let's go on.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order.

**Mr. Baird:** I know these folks don't want to hear the truth about their health care record, Speaker, but they're going to hear it.

Here's what the Ontario Hospital Association says: "This means that many hospitals could ... be required to plan reductions to core patient services and for the elimination of up to 4,000 staff positions."

This is what's going on in our hospitals, and all we get is heckling from the members opposite. Maybe they should be fighting for our hospitals instead of just cheering on this minister's cuts of potentially 4,000 more people.

Let's look at what nurses are saying about the McGuinty government. The Ontario Nurses' Association recently put out a news release that said, "The McGuinty government has done a 180-degree turn from its stated commitment during the election to protect patient care and to hire 8,000 full-time registered nurses."

That is not the Progressive Conservative Party. It's not an opposition MPP. It's the head of the nurses' association of Ontario, and I will believe her 100 times out of 100 instead of believing this partisan Liberal government.

Let's go on with what nurses say: "Nurses believe they are being used as pawns.... They no longer believe this government is committed to restoring nursing care, protecting patients and making positive changes."

What does the head nurse in Ontario say? Karen Haslam-Stroud says, "Layoffs will deeply affect patient care." Those are not my words; those are her words.

We know this government has criticized the previous government for cutting nurses. Apparently they didn't cut enough, because this government wants to cut even more

nurses in the province of Ontario, and that is the real disgrace. It has big effects, big consequences for hospitals, like the Queensway-Carleton Hospital, that is desperately trying to provide the same services they provided last year and struggling to do so with the underfunding of this government.

**Ms. Shelley Martel (Nickel Belt):** I'm happy to respond to the statement made by the Minister of Health. I'm always interested in the contradiction between the government rhetoric about this issue and the probably much more accurate opinion about the wait list matter that has been given by Dr. Alan Hudson. He was appointed by the government to actually deal with the wait time strategy, but he has said very clearly that:

"It will take until the end of 2006 before Ontarians start to see reduced wait times for key medical procedures and, even then, progress will likely be limited to just cataract surgery, the province's new wait-time czar said yesterday.

"Dr. Alan Hudson, the newly appointed chairman of the provincial wait time strategy, said hospital Web sites listing wait times for cardiac, cancer and cataract care, as well as hip and knee replacements and MRI and CT scans, should be available to Ontarians by December 2006.

"There will be improvements (in the data available) but I can't promise we'll get the waiting times down by then," Dr. Hudson said.

"Dr. Hudson's comments raised questions about the Liberal government's ability to fulfill its election pledge to reduce wait lists in the five priority areas before the end of its mandate."

Let's look at what ICES had to say, because of course ICES released its wait time document in April 2005. ICES very clearly said the following: "The findings of this report show that over the past decade there have been substantial increases in the number of procedures for each of the five services studied, yet many patients continue to experience prolonged wait times. This means that demand for these services has risen as fast and in some cases faster than the increase in supply. This increased demand is fuelled by multiple factors including"—it talks about an aging population, different kinds of diseases and advances in surgery.

What is interesting is that ICES made four very clear recommendations to the government about what the government had to do with respect to wait times, and we have yet to hear from the government what their response to both this document and the four recommendations from ICES really is. We await a reply from the minister on that very important issue.

We also know that the system's ability to deal with surgery is very much dependent on a link to the anaesthetists who are available to participate in surgeries. What's interesting is, in Sudbury, for example, in mid-December 2004, the CEO at the Sudbury Regional Hospital said that they were experiencing entire blocks of cancellations of surgeries due to the lack of anaesthetists. What was ironic was that she made that statement on the

same day that the government announced additional funding for additional procedures, so our hospital wasn't in a position to deal with that at that time.

*Interjection.*

**The Speaker:** Minister of Health, come to order.

**Ms. Martel:** I wonder how many other hospitals are dealing with that problem in the face of a lack of anaesthetists.

Finally, the government is aware that as it deals with its priority areas, there have been many concerns raised about how wait lists in other areas are now going to increase. The government received a great deal of correspondence to this effect in December 2004 and February 2005. Angus Maciver, president of the Ontario Association of General Surgeons, said, "Again and again, the needs of our patients have been chronically ignored while other deserving and (more politically appealing)"—

*Interjections.*

**The Speaker:** Can I have some quiet, please. I'm having difficulty hearing the member from Nickel Belt.

The member from Nickel Belt.

**Ms. Martel:** "We ask the government for serious consideration: Make access a key issue."

Finally, Dr. Maciver again, Dr. Kealy and Dr. Barron, the chair of the OMA section on general surgery, wrote to the government in February. "... we cannot support any program that has the effect of increasing already long wait lists for others. Prioritizing some procedures over others has the effect of reducing many of our patients to second-class status and effectively denying them their rights as outlined in the Canada Health Act."

It will be interesting to see what other wait lists now grow.

## CLASS SIZE

**Mr. Rosario Marchese (Trinity-Spadina):** I'm always happy to respond to reannouncements and pre-announcements. In fact, the Minister of Education has reannounced the education money in the budget in four different press conferences since the budget. Today he pre-announced money the government plans to spend in 2009, more than two years after the next election, and reannounced the money. He reannounced the teachers who were hired last year and pre-announced the teachers who will be hired next September. Doubtless he will reannounce his pre-announcements again in September; take my word for it.

The problem with these reannouncements and pre-announcements is that it's very hard to see what's really happening in our schools. We have repeatedly called on the government to build transparency, which the Liberals allege they're big on, by establishing a standing committee on education, something they promised to do before the last election. Unfortunately, they have voted it down repeatedly.

By the way, on the subject of small schools, if the Premier is really interested in quality education and



smaller class sizes, he might want to examine some of the small schools his government will be closing this June. Last week our leader, Howard Hampton, accepted the back-to-school challenge and visited the Fourway school north of Thunder Bay. He saw a small school that was at the heart of the community where students were receiving an excellent education in a caring, communal environment. Unfortunately, neither Dalton, the Premier, nor Gerard could make it, and I suspect a whole lot of other Liberals couldn't make it either. But there is always time—time to correct the mistakes of the previous government and time to deal with the broken promises of this government as it relates to small schools. The students in these schools don't get a photo-op and a game of “go fish” with the Premier. They get two-hour bus rides on dangerous roads and they lose their community schools.

By the way, Gerard—Mr. Kennedy, Minister of Education—talking about the thousands of teachers you're going to hire in the next little while, you might want to create more spaces to train faculty, because at the moment we're hiring a whole lot of teachers who are being trained in private teachers' colleges where tuitions are sky high. You may just want to look at that.

## DEFERRED VOTES

### FILM CLASSIFICATION ACT, 2005

#### LOI DE 2005

### SUR LE CLASSEMENT DES FILMS

Deferred vote on the motion for third reading of Bill 158, An Act to replace the Theatres Act and to amend other Acts in respect of film/ Projet de loi 158, Loi remplaçant la Loi sur les cinémas et modifiant d'autres lois en ce qui concerne les films.

**The Speaker (Hon. Alvin Curling):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1430 to 1435.*

**The Speaker:** Would all members please take their seats.

Mr. Watson has moved third reading of Bill 158. All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne  
Baird, John R.  
Bartolucci, Rick  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bountrogianni, Marie  
Bradley, James J.  
Brown, Michael A.  
Brownell, Jim  
Bryant, Michael  
Cansfield, Donna H.  
Chambers, Mary Anne V.  
Chudleigh, Ted  
Colle, Mike

Gerretsen, John  
Gravelle, Michael  
Hoy, Pat  
Hudak, Tim  
Jeffrey, Linda  
Kennedy, Gerard  
Kular, Kuldip  
Kwinter, Monte  
Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
Mauro, Bill  
McGuinty, Dalton  
McMeekin, Ted

Peters, Steve  
Peterson, Tim  
Phillips, Gerry  
Pupatello, Sandra  
Qaadi, Shafiq  
Racco, Mario G.  
Rinaldi, Lou  
Runciman, Robert W.  
Sandals, Liz  
Scott, Laurie  
Sergio, Mario  
Smith, Monique  
Smitherman, George  
Takhar, Harinder S.

Cordiano, Joseph  
Craiton, Kim  
Delaney, Bob  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duguid, Brad  
Duncan, Dwight  
Dunlop, Garfield  
Flynn, Kevin Daniel  
Fonseca, Peter

McNeely, Phil  
Meilleur, Madeleine  
Miller, Norm  
Milloy, John  
Mitchell, Carol  
Mossop, Jennifer F.  
Munro, Julia  
Oraziotti, David  
Parsons, Ernie  
Patten, Richard

Tory, John  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wilson, Jim  
Witmer, Elizabeth  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

**The Speaker:** All those against, please rise one at a time and be recognized by the Clerk.

#### Nays

Barrett, Toby  
Bisson, Gilles  
Churley, Marilyn  
Flaherty, Jim  
Hampton, Howard

Horwath, Andrea  
Kormos, Peter  
Marchese, Rosario  
Martel, Shelley  
Martiniuk, Gerry

O'Toole, John  
Ouellette, Jerry J.  
Prue, Michael  
Sterling, Norman W.  
Yakubski, John

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 71; the nays are 15.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## ORAL QUESTIONS

### HEALTH CARE

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. It's about consistency. In your so-called Liberal election plan for health, you said privatization is a step backward. If you ever believed that, including today, why did your office force the Minister of Health to approve the transfer of a licence for a private hospital in Toronto, instead of just cancelling it to remain consistent with your earlier statements?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Health.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** As is well known to anyone who has been a student of the Ontario health care system, a significant portion of our universally accessible system is private delivery. This has been the case, of course, for decades in significant portions of our health care system: diagnostics; the provision of some home care services; the provision of care in long-term-care homes. This is long-standing in the Ontario health care system. In accordance with that, we continue to make sure that the patients of Ontario gain access in as timely a way as possible to the highest possible quality of services, and that is as it was.

#### 1440

**Mr. Tory:** Again to the Premier: Back in 2004, after you became Premier, you said you were going to focus on “publicly delivered, publicly owned and publicly controlled health care.” These were the words of the Premier, not mine. The licence your government has approved

sees the Don Mills Surgical Unit, a private hospital, now owned by the Alegro Health Corp. Their news release trumpeting their great success with your government says, "Alegro's focus is on private payer medical and health-related services." I wonder if I can ask the Premier how he can explain this gross inconsistency.

**Hon. Mr. Smitherman:** I'm not clear on what the honourable member is getting at in the form of an inconsistency. In fact, approving the transfer of a licence is a status quo arrangement. The Don Mills Surgical Unit that the honourable member is speaking about has been a long-standing niche provider of services to the Ontario health care system. Operating by memory, I believe that that was a grandfathered circumstance that goes back perhaps decades, to the point where our system came into being. So this is a status quo initiative.

**Mr. Tory:** I'm astounded to hear the minister talking about the status quo.

The Premier was the one who talked about creeping privatization, and yet was also the one whose office forced the Minister of Health to approve this licence going to a company which on its own Web site says it will use an aggressive acquisition program to become a major supplier of private payer medical services. The Premier said over and over again during the election, and has said many times since, that there was no room for this kind of thing.

I would just like to know, when did you change your mind about this and throw yet another section of your election platform overboard, and how will it affect your approach to the rest of the health care system?

**Hon. Mr. Smitherman:** If the honourable member took a second to study the facts, he would know that there is a circumstance with other environments, like the Shouldice clinic, where we have had private delivery of very niche services.

The honourable member's answer is to be found in his very own question, where he talked about private payer services. That's not what we are talking about here. We're talking about the fact that for decades and decades in the Ontario health care system there have been some very minor services provided by private sector entities—something that was sustained under the operation of all three parties in this House.

In granting the transfer of this licence, we have not granted a new role to any new private sector company. What we've said is that in these very limited niche areas, we grant the transfer of this licence because it's the status quo. As it relates to other matters, I would be happy to talk more to the honourable member.

**The Speaker (Hon. Alvin Curling):** I would ask for some more co-operation from the opposition side in not shouting while questions are being asked.

New question.

**Mr. Tory:** My question is again to the Premier. By the way, when you say there is no mention of private payers, look it up on the Alegro Web site. They say here that they're a company that focuses on private payer medical services and that they want to increase their role through

an aggressive expansion program, I assume including this expansion that you approved.

The question to the Premier is on the subject of the Liberal Party's own inconsistency. This licence, as you well know, can only be transferred on the express written consent of the Minister of Health. So you, the Liberals, including the Premier, who have been holier-than-thou about any private payer or private sector involvement in the health care system, had an option, which was that if you wanted to be consistent, you could have said no and cancelled the licence. But you have chosen not to do that.

I ask the Premier, were you involved in this decision and, if so, how do you square it with your repeated condemnation of any kind of private involvement whatsoever in the health care system? How do you square that?

**Hon. Mr. McGuinty:** To the Minister of Health.

*Interjection.*

**The Speaker:** Order. The member for Nepean—Carleton, if you want to speak to the press, you can go outside.

**Hon. Mr. Smitherman:** I am happy to explain it to the honourable member again, and I mean this in a totally forward way. If the honourable member would like a briefing about this, I'd be happy to provide it. The issue here is that you've read some words from a press release that said "private payer," but the services that we are engaged in and the licence that we are talking about has nothing to do with private payer. It has to do with services of the Ontario health care system being available to people on a universally accessible basis. In this narrow role, this provider happens to be for-profit. And as they have for decades, we have granted a transfer of the licence so that they can, in this very niche area, continue to provide some limited service. There is no impact upon the patient. This is not about two-tier provision of services. It simply is about continuity of a very, very minor role for a unit that required some transfer so that they could continue to provide in our universally accessible, publicly funded health care system some very limited services.

**Mr. Tory:** That was a very interesting answer. Let's then talk about consistency.

In the case of the MRI and CT clinics operating outside of the public domain, you used precious tax dollars to buy those back and to pay the people who operated them to be in a different kind of business. Will you make public the exact terms of those deals—all the deals you have made and perhaps the state of the negotiations of the ones you haven't made—and explain how buying those clinics back with tax dollars is consistent with giving a licence to a private hospital, to Alegro, a company which aggressively wants to expand private payer health care in the province of Ontario? Explain how that's consistent.

**Hon. Mr. Smitherman:** I'm very happy to. In the instance of the MRIs and CT scans, which were a specific commitment that we campaigned upon during the election, we found it inappropriate to have the pro-



vision of MRI services disconnected from the provision of MRI services in the rest of the health care system. Take a look at what we have done. We haven't paid for the transfers, beyond a few thousand dollars for the purpose of changing the structure of these to convert them to not-for-profit. What have we done? We've dramatically enhanced the access that Ontarians need and want at these very centres, to the point where in Kingston, in a recent editorial, we celebrate that in the last number of months we've gone from four-month waits for MRIs. As a result of our initiatives in Kingston, those are now one week long. And this is what we are all about for patients of Ontario.

**Mr. Tory:** I was in Barrie on Friday and they have a 54-week, one-year wait there. I presume if the minister is talking about these deals and sharing little bits and pieces, he will make public all the deals for the MRI and CT scans. They should have been made public anyway.

It's the Premier's words we are talking about here, not my words. He said "publicly delivered, publicly owned and publicly controlled health care." That's a quote. This is, I would argue, yet another flip-flop from a man who said he wouldn't raise taxes, he would freeze hydro rates, he would not run deficits, and he would help families of autistic children get some extra help.

They say confession is good for the soul. My final supplementary to the Premier: Is this the latest broken promise as you abandon your own position on health care delivery and on the involvement of the private sector? Stand up and confess.

**Hon. Mr. Smitherman:** I am very happy that the honourable member was in Barrie last week. I was there about a week or two before, and as a result of the initiatives that we've taken as a government—which actually for the very first time included asking all hospitals what their starting point was in terms of the list for people accessing MRIs—we came to conclude many, many weeks and months before the honourable member did that Barrie indeed has one of the longest waiting lists for MRIs.

As a result, as part of the \$154-million investment that our government made in wait times this past Friday, Royal Victoria Hospital has been given the most amount of money that they can use to shorten those lists, to the point where the CEO of that hospital recently told me that people are very, very happy. Even though the lights are on at 2 o'clock in the morning and that's when they have to come for their MRIs, they are very, very happy to be part of a province where a government is so focused on reducing the wait times that they have been experiencing.

1450

#### SERVICES FOR DISABLED CHILDREN

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Children and Youth Services. Minister, last week the Ombudsman, André Marin, described an awful picture of moral failure and

maladministration by the McGuinty government, a failure that is causing terrible suffering for disabled children and their parents. The Ombudsman concluded that parents of severely disabled children are in crisis and are being forced to give up custody of their children in order to obtain the residential care their children need. To quote the Ombudsman, "The ministry has failed these families. Its conduct is unjust, oppressive and wrong."

Minister, the McGuinty government has been in office now for two years. When will these children and their parents receive action? When will they receive justice from the McGuinty government?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I'd like to thank the leader of the third party for the question and I'd like to thank the Ombudsman for his report and his guidance and advice.

We have already responded to his first recommendation. My ministry has directed the children's aid societies to begin calling the parents tomorrow. Where there are no protection issues, those parents who have temporary care agreements will have their parental rights restored without a change to the service for their children on or before this Friday.

**Mr. Hampton:** Minister, we'll be watching, because we've heard these promises before.

I'm intrigued by what the Ombudsman said. He said, "Successive governments have said repeatedly that no parent should be forced to give up custody of a child in order to access specialized support." Why is this happening? "It is happening because governments have preferred to study the matter to death rather than solve it. This much repeated sacrosanct principle is the victim of acute government maladministration."

You've been minister for two years. For two years, these parents have been coming to you. For two years, they've been saying, "You're going to provide the services. Why do we have to give up custody of our children in order to access these services?" Can you tell these parents why this has gone on for two years, why they have had to give up custody of their children in order to get the residential services their children need?

**Hon. Mrs. Bountrogianni:** I'd like to thank the honourable member for the question.

Indeed, it has gone on for far too long, for many years. This was a very complicated issue. I had to do due diligence, because although it is very difficult for all the honourable members here to understand, there are children with severe disabilities in our province who have suffered abuse at the hands of the very people who are supposed to love and take care of them. We had to take due diligence in addressing this issue.

For those parents where protection is not an issue, their parental rights will be restored on or before this Friday.

We have also, as a government, increased funding for these programs by over \$100 million in a year and a half—badly needed funding.

Unfortunately, I'd like to tell the honourable member opposite, these issues don't get solved overnight. I

understand the parents' frustrations. It has taken far too long. But we are taking action.

**Mr. Hampton:** I'm not sure of some of the things the minister implied in her answer.

I want to draw your attention to Cynthia Cameron, Linda Limon, Connie Covatta, and Nash Kapoor, who are all parents. They're here. They've been here before. They're here today because they got the message loud and clear from the McGuinty government: "You must give up custody of your disabled child if you want them to receive the social and residential services they need."

The Ombudsman points to section 30 of the Child and Family Services Act, which provides for special-needs agreements in cases like theirs. The Ombudsman says you should use section 30 to achieve his recommendations in the short term. I have a very specific question, Minister: Will you order these special-needs agreements now so that these parents finally receive justice?

**Hon. Mrs. Bountrogianni:** I will do something a lot better than that. The special-needs agreements have issues attached to them. Parents can still lose parental rights under the present special-needs agreements. What we will replace them with is a plan-of-care agreement which will have the exact same end point and goal that the Ombudsman asked for in his report, without sabotaging parental rights in the future. I repeat: Where protection of children is not an issue, parental rights will be restored on or before this Friday.

**The Speaker (Hon. Alvin Curling):** New question. The leader of the third party.

**Mr. Hampton:** My question is for the Premier. The Ombudsman's report doesn't inspire confidence in your government. André Marin says that the Ministry of Children and Youth Services is rife with "acute government maladministration." He says that the ministry is being "wilfully blind" to severely disabled children in crisis. He calls the Ministry of Children and Youth Services "the ministry of I don't know," because it had no idea how many parents were forced to surrender their children in order to get them the care they need.

Premier, again, these parents were here many times. You made a lot of promises to parents like these. Some of your members, when they were in opposition, used to bring these parents here to plead their case. Can you tell me why your government has done nothing for two years and why it takes an Ombudsman's scathing report to finally get you to do something?

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Obviously I disagree with the premise in the member's question. One of the first things we did was to create, for the first time in Ontario, a new ministry with specific responsibilities for looking out for the well-being of Ontario children. It's never been done before. I appointed, I might say, an individual who is absolutely committed to standing up for the interests of children.

As the minister just mentioned, we have already invested over \$100 million—that's over a 50% increase—in children's treatment centres, children's mental health and autism programs for high-needs children.

Let me take the opportunity, as well, to thank the Ombudsman for his report and for raising the profile of a very important issue. Let me say, not just in my capacity as Premier, but as a parent, I think it is fundamentally wrong for any family, any parents, to have to give up their kids because they can't get the services. So we stand against that occurrence, which has happened in the past. The minister has indicated that she's going to do everything within her power to ensure that we redress that wrong. Again, I thank the Ombudsman for his report, and we look forward to acting on it.

**Mr. Hampton:** You may have created a Ministry of Children and Youth Services, but the Ombudsman says over and over again in his report that for two years they did nothing. Quote on page 35: "One is tempted to conclude that the six-month reports have been jargon-laden missives designed to create the illusion of progress while nothing concrete was being done." Or again, as he points out, in too many of the responses, he feels not only was nothing happening, but there was a deliberate attempt to mislead.

Premier, again, why did it take an Ombudsman's report to recognize an injustice that these parents were bringing here to the Legislature, day in, day out? Why didn't your government act? Why has it still not acted?

**Hon. Mr. McGuinty:** Minister of Children and Youth Services.

**Hon. Mrs. Bountrogianni:** I guess the honourable member can't take yes for an answer. We have acted. Parental rights will be restored by this Friday. I have said before in this House that there was a lack of funding over the last decade from both those governments. His party, when he was in power, cut \$24 million out of mental health in one year alone, period. We put in \$25 million for children's services in our first year, \$38 million in our second year, \$25 million for children's treatment centres, and we are building a system so that this doesn't happen in six months or six years.

**1500**

**Mr. Hampton:** My question is, why has the McGuinty government denied justice to these parents for the last two years? The minister floats out the financial reason again. The Ombudsman looked at that. Page 41: "There can be no fiscal floodgates issue. The real question is why must the government insist as a condition of providing funding that capable parents give up their parental rights? ... The bottom line is this is not a financial floodgates problem. It is an issue of the rational allocation of resources within a bureaucracy, and for those who are affected, this has to be galling."

Minister, the Ombudsman looked at your argument that this is about finances. The parents get the services but you force them to give up custody of their kids in order to get the services.

The Premier said, "Choose change." Where was the change when you forced these parents to go to the Ombudsman to finally get some justice from the McGuinty government?

**Hon. Mrs. Bountrogianni:** Unfortunately, this tragic circumstance has been going on from all the govern-



ments, including the honourable member's government—

*Interjections.*

**Hon. Mrs. Bountrogianni:** Absolutely.

This is the first government that is building a system to address this injustice. We had to act with due diligence. It did take longer than it should have; I admit that. But by this Friday every parent will have their rights restored as long as there isn't a child protection issue. I will not act impulsively. I will not return even one child to the wrong family. It's my responsibility to take care of all the children, not just the children the honourable member brings to me.

## HYDRO

**Mr. John O'Toole (Durham):** My question is to the Minister of Energy. I want to read a quote to you from June 6, 2002, and I want you to listen carefully: "We oppose the privatization of Hydro...."

Minister, would you reflect on this and tell me who you think said that in 2002?

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** That's a trick question. I don't know if I can answer that. But let me say this: We are undoing eight years of mismanagement of the hydro file. We're undoing policies that flipped and flopped all over the place. We're taking a position on hydroelectricity, and all electricity, that will guarantee supply, that will keep prices low, that will allow us to clean up our atmosphere.

That member and his party failed miserably at that task in the last eight years. This government and this Premier have taken it by the horns and we're fixing the mess that you left, by cleaning up our air, by providing accountability and by ensuring that Ontarians have access to reliable, clean, safe electricity in this province.

**Mr. O'Toole:** I think the minister confuses an answer with speaking loudly, which convinces no one he is in charge over there.

Minister, it was you who said that in June 2002. It's clear that you and the Premier are breaking promises. This is a classic broken promise. It appears that for the McGuinty Liberals now is the time to privatize Ontario's infrastructure. They believe now is a good time to break yet another promise.

Minister, first you were against the privatization. Now, according to recent comments in the *National Post*—and I'm surprised at this, quite honestly—you say, "In our government's view, most of the exciting work in the energy field is going on in the private sector—on both the renewable and conservation side." What a classic Liberal flip-flop. I just can't believe it.

It's also clear that you really don't have a plan. You think by yelling your answers that you are disclosing a plan. What I want you to do is to stand in your place today and tell the people of Ontario that you have a plan and that currently the ministry is at risk.

**Hon. Mr. Duncan:** Let me say this softly so that I don't offend the member's sensibilities. The quote he's referring to is hydro transmission. He may not know the difference between transmission and generation, but what we were responding to at the time was our belief—I'm just trying to say this softly because I wouldn't want to offend the sensibilities of the member opposite in this very decorous Rosedale tea party that we're holding here. I'm sorry; I'm getting agitated again. Do you know what? They were going to sell Hydro One. They were going to sell all the transmission lines—I'm getting upset again—and we really were opposed to that. Then they were going to sell 49% of it, then they were going to sell it all again, and then they weren't going to sell any of it.

Whether you say it softly or loudly, they had no plan for hydro. We're cleaning up their mess with cleaner, more affordable, more reliable electricity in this province, and we're committed to undoing the damage they did over the last eight years. Say it softly or say it loudly.

## SERVICES FOR DISABLED CHILDREN

**Ms. Shelley Martel (Nickel Belt):** I have a question to the Minister of Children and Youth Services. Cynthia Cameron had to give up temporary custody of Jesse in July 2004 so she could get the residential placement that he needed to deal with his special needs. Her agreement expires in August of this year. Your ministry told her that her temporary care agreement could be extended for another year. That information was totally wrong. She has a letter from the London-Middlesex CAS dated May 12, 2005, which clearly says that the CAS cannot extend the temporary agreement past August 2005. So if she needs ongoing residential treatment, she'll have to give up custody of Jesse altogether to get it.

Minister, given your announcement today, is Cynthia going to get custody of Jesse by Friday, or is someone in government going to apply this as a protection issue, forcing her to lose custody altogether?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I'll just repeat what I said earlier: Where child protection isn't an issue and there are temporary care agreements, parental rights will be restored by this Friday, if not before.

**Ms. Martel:** Cynthia Cameron has waited far too long for a response from your ministry. She first contacted your government about her issue in July 2004. She made numerous appeals to your office, numerous appeals to the regional director's office. She even had the child advocate intervene on her behalf with your deputy minister. She was among the 30 families who were referenced in the child advocate's report of February 2005, and despite your allegations in this House that you responded immediately to those 30 families' concerns, the Ombudsman has made it very clear that you did nothing of the sort. I repeat, Minister, because Cynthia is here today: What guarantee can you give her and her family and other families in her position that this will not be

considered a protection issue so she will not get custody of her son after all?

**Hon. Mrs. Bountrogianni:** Well, I guess this other honourable member can't take yes for an answer. By this Friday, if protection is not an issue and parents have temporary care agreements, their parental rights will be restored. Instead of getting hysterical and trying to grab headlines and stir up emotions in parents who have enough to deal with, she should support the fact that we are addressing this issue today.

#### CLASS SIZE

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** My question is to the Minister of Education. Creating class sizes that facilitate the best possible environment for student success has never been more important than it is now. Years of research on class size have shown us that there is considerable and compelling evidence that in the early grades, smaller class sizes make a difference. The academic benefits for students continue after they move into larger classes and are especially promising for students with learning disabilities.

Minister, how much money are you planning to invest in your class size reduction strategy, and how will that benefit elementary school children?

**Hon. Gerard Kennedy (Minister of Education):** While the resources are not inconsiderable, it has taken a great commitment by this Premier, the Minister of Finance and this government under the difficult financial situation left to the government. We cannot, though, in good conscience, leave these kids behind. They deserve the benefit that comes from a further \$91-million investment in teachers this year and an investment as well of \$36 million toward space and other services required. This is made possible because we were planning very strategically. There are 300,000 empty spaces in our schools that are now going to be used, in part by lowering class sizes, so we're making use of existing facilities. We're also tapping into the enthusiasm of elementary teachers that we get simply because we've given them an assignment that they can do. We're adding now up to 2,400 teachers. It is, I believe, every dollar well spent. In fact, the return on that investment will probably be realized in the lower extra requirements for students, the lower costs that we'll have to put into them by the time those very students who get help today graduate.

1510

**Mr. Brownell:** The issue of class size has been a major concern of public school teachers for many years. I was there; I know. Teachers and parents have been pointing to large class sizes as a barrier to student success for a long time. They've argued that allowing for more individual student attention in the early years leads to higher achievement.

The previous Tory government had the option of doing something about class size and they chose not to. They had eight years to create opportunities for success in public schools, and they failed. While the previous

Tory government cut teachers, we are cutting class sizes. Investing in quality public education is one of the best investments we can make as a society. This government has taken great strides to improve public education in Ontario, but this initiative today is particularly important. Minister, why are smaller classes so effective in helping children to learn?

**Hon. Mr. Kennedy:** It's something for all members in this House to contemplate: How do we convey an education advantage when it has become so competitive around the world to try to do just that?

Small class sizes follow a number of important ideas. One is that children from JK to grade 3—in roughly that age bracket—develop in different ways and at different times. A smaller class size, quoting again from the teachers we've heard from, allows them to give that individualized attention. It allows them to make sure that that individual level of development—whether it's scaled reading, whether it's the way that certain concepts need to be explained or whether it's just taking note of those special needs—can be attended to. If we can do that during these early formative years, we can make a tremendous difference in the whole academic experience. The support strategies are all based upon that early intervention: on doing things earliest, when they're least likely to turn into expensive interventions later on.

The great thing that I want to report is that we're now in a position, this September, to have 70%—381,000 children, three quarters of those in the primary grades—who will now benefit from this significant educational development.

#### INFRASTRUCTURE PROGRAM FUNDING

**Mr. Jim Flaherty (Whitby-Ajax):** My question's for the Premier. Last week, when your government re-announced your infrastructure plan, Minister Caplan said that the alternative financing plan is like a mortgage, where you borrow the money and pay it back over time. At the same time, he said that the public will own the land.

I know that there are new ways of financing talked about in this document, but I don't understand your McGuinty-Caplan mortgage. You know that for all the people in Ontario, when they mortgage their homes, they transfer the title to the bank or credit union, but now Minister Caplan says that's not the way it works in the McGuinty-Caplan world. He says that you're going to keep ownership of the assets but you're going to mortgage the assets. Premier, can you explain how the new McGuinty-Caplan mortgage works?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I think the important aspect of this issue is that we have a five-year, \$30-billion plan to rebuild and to build desperately needed infrastructure in the province of Ontario. A modest proportion of that will be made available to assistance through an alternative financing plan. We have made it perfectly clear through-



out that there are some very specific principles governing the usage of alternative financing, including, for example, that our water and sewer systems, our schools and our hospitals must remain publicly owned.

I look forward to the member's supplementary. If he has any particular recommendations to ensure that we get this right, we are more than willing to listen. But I think what the people of Ontario are very concerned about is the fact that we have such a deficit when it comes to the state of our infrastructure. That's why we're proceeding with a \$30-billion plan.

**Mr. Flaherty:** Premier, this is funny money now. You used to do real estate law; you studied real estate law. You know that you have to transfer the title in order to mortgage property. Surely you can explain to the Minister of Public Infrastructure and, maybe more importantly, to the people of Ontario what you're talking about. After all, it's their money. It's \$2.3 billion that you say you're going to take from pension plans and from the private sector, and it has an important consequence, because if it's not alternative financing, then what you're doing is adding to the public debt of the province of Ontario and adding to the interest payments. All you're doing is borrowing money and adding it to the public debt.

Have you run your plan past the Auditor General? Will you confirm that you'll do so before you proceed with it?

**Hon. Mr. McGuinty:** I think one of the most important things we could tell the people of Ontario by way of offering some comfort and reassurance is that we will not do what that former government did with respect to the 407. We will not perpetrate that on the people of Ontario.

We insist that the public interest be paramount. For example, we have specifically said that our water systems, our sewage systems and our schools and hospitals will remain publicly owned. We think that's a very important piece of information for the people of Ontario to understand. Beyond that, we said we will ensure that the public interest is paramount, that we get value for money and that there is a fair, open and transparent process. I can assure you that as a result of those and other principles, we could never, ever end up with the kind of 407 mess that was bequeathed to us and the people of Ontario.

#### SERVICES FOR DISABLED CHILDREN

**Mr. Peter Kormos (Niagara Centre):** A question to the Minister of Children and Youth Services: Justin Kapoor is 14 years old, wheelchair-bound, autistic, epileptic, severely handicapped and medically fragile. His parents were here on May 16 and the Acting Premier assured them that parents should not have to give up their children to receive the kind of care Justin needs. When they contacted your office, through mine, the message from your office was, "Don't call us, we'll call you." That resulted in them surrendering their child for custody

four days later. Why did they have to surrender custody of their child to get care after the Acting Premier told them to their face that parents should not have to give up their children to receive this kind of care?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I thank the honourable member for the question. I remember the case. I won't comment on that specific case except to say that where protection is not an issue, parental rights will be restored by this Friday or before this Friday.

**Mr. Kormos:** Minister, I don't think you understand what surrendering custody means. After the most tortuous and painful weekend of their lives, they went back after the holiday Monday of the long weekend pleading to get their son back, because surrendering custody means that the boy was held incommunicado. There was no contact. They were even denied any information as to where he was. You see, they counted on the Acting Premier when he said on May 16 that parents should not have to give up their children to receive this kind of care. When your office told them, "Don't call us, we'll call you," they felt they had no choice. Their child isn't in children's aid custody any more, their child is back home, but their child needs treatment.

I understand what you said about kids in custody. What are you going to do to make sure that Justin Kapoor gets the kind of treatment he needs promptly—not next week, not next month? Time is of the essence. Every minute counts.

**Hon. Mrs. Bountrogianni:** I know when we inherited the government and I inherited this portfolio, I saw the gaps that existed and continue to exist in children's mental health and children's treatment centres. We invested, for the first time in a decade, over \$100 million to begin to address this gap.

**Mr. Kormos:** Tell them, Maria. Stand up, folks.

**Hon. Mrs. Bountrogianni:** This problem has been developing over years. It will not be solved overnight. One of the reasons why—

*Interjections.*

**The Speaker:** Order. Members in the spectators' gallery, please sit down. Thank you.

Member from Niagara Centre, you know better than to agitate such action in the House.

**Mr. Kormos:** Stand up and tell them.

**The Speaker:** Order. I'm going to warn the member from Niagara Centre.

**Mr. Kormos:** Warn me of what, Speaker?

**The Speaker:** Order.

**Mr. Kormos:** Tell them, Maria.

**The Speaker:** Order. I'm going to give you a last warning.

New question.

#### AGRI-FOOD INDUSTRY

**Mr. Phil McNeely (Ottawa—Orléans):** My question is for the Minister of Agriculture and Food. Earlier this

month, you responded to a question in the House where you were asked for an update on your progress as we lead up to the second annual Premier's summit. At that time you stressed—and we would definitely all agree—the importance of engaging stakeholders in developing partnerships between producers, processors and governments working together to create a long-term vision for the sector. You also indicated there was a work plan that was being developed by the Premier's summit advisory committee that would be announced shortly.

On Friday, May 20, before the House rose for constituency week, you issued a news release on the progress that the committee and our government have made toward developing a vision for the agri-food sector of this province. Minister, could you please tell us what the committee has reported back and what their recommendations are as we move toward the second annual Premier's agri-food summit?

1520

**Hon. Steve Peters (Minister of Agriculture and Food):**

I want to thank the member for his question, but most importantly, I thank the advisory committee that is working on behalf of the Ministry of Agriculture and Food and the Premier's office. I think it very clearly demonstrates the commitment this government and particularly the Premier are making to looking at a long-term vision.

Yes, we know that the sector is facing challenges right now, our rural communities are facing challenges, and as a government we have been there to deal with the short term. But as well, unlike the previous government that in nine years in office did everything they could to dismantle the Ministry of Agriculture and Food, we're trying to look ahead. We're looking ahead to the future.

That's why I want to thank the advisory committee for the leadership they've shown in trying to bring together groups and individuals. We have a series of nine regional consultation meetings planned across the province where not only agriculture but the food industry as well will have an opportunity to help shape the direction as to where we go in the future; and again, it's because of the leadership that Premier McGuinty has shown in looking ahead for the future of this industry.

**Mr. McNeely:** It is truly important that we are able to work with all sides of this unique sector when visioning the long term. As I have been meeting with the constituents in my riding, we have been discussing individual views in the agricultural sector and how we can work toward that sustainability that all sides are looking for.

In meeting with the farmers of Ottawa-Orléans and the surrounding communities, where I grew up and later represented as a city councillor, I have heard some very original ideas and think their input would be truly valuable as a vision is being developed. I know my constituents and area farmers would be very interested in the opportunity to express their ideas as we move toward the long-term vision.

Minister, I understand the regional consultations will be by invitation only. I would like to ask why this is, and

also, how can my constituents and area farmers become involved in the visioning process if they are not explicitly part of the stakeholder meetings?

**Hon. Mr. Peters:** Certainly everyone has the opportunity to provide feedback into this process. The consultation document will be posted on the ministry's Web site in June. As well, if somebody would like to receive a copy of the discussion document, we will forward that to them. What we want to do is make sure that we have a good cross-section of representation at these meetings. We don't want to see only one particular sector of agriculture or the agri-food industry being represented. We do want to make sure that we have all representation at that table because we want that broad base.

As we know, we live in the most diverse agricultural province in all of Canada. We are home to 40% of the agri-food industry. We need farmers. We need the agri-food industry. We need to continue to work together. We know that we produce some of the safest, highest-quality food in this province. We want to continue to build on the great reputation we have, and this Premier's summit is that opportunity to plant that seed for the future of this vital industry.

#### ADOPTION DISCLOSURE

**Mr. Norman W. Sterling (Lanark-Carleton):** My question is to the Premier. Today we found out that there is a proposed amendment to the adoption disclosure bill. We just received 39 pages of amendments at 1:30 this afternoon and we are supposed to deal with these at 3:30 p.m.

The privacy commissioner has commented about the proposal that an adoptee or a natural mother would have to convince a board that there were reasons to allow them to block disclosure of this very sensitive information. The privacy commissioner wrote in her comments, "Privacy relates to one's ability to control the use and disclosure of your personal information. It's all about freedom of choice—making your own decisions about disclosing your personal information—not having to convince someone else as to why they should be protecting it for you." Would you care to comment on her comments?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Speaker, I'm going to allow the minister to speak to this in a supplementary. But first of all let me just say that I always welcome the advice of the privacy commissioner on matters of concern to her and to the people of Ontario.

I want to say that we attach a very high value to the right of children to know where they come from, what their background is and who their parents were. We think it's really important to recognize that right and put it on a very high footing. But we also recognize by way of this amendment that there may be some exceptional circumstances where the right of the parent to privacy ought to prevail. That's what we're trying to recognize by way of this amendment. I happen to think it strikes the right balance. There are others who will have disagreement with



that, but I think the legislation on the whole does strike the right balance and does recognize for the first time the right of children to know where they come from, what their background is and who their parents are.

**Mr. Sterling:** The other compelling reason is that many of these birth parents have lived their entire lives based on the privacy promises that were made to them. To tell them that they now have the onerous task of going before a tribunal to try to convince strangers that they qualify for the very limited exceptional circumstances that would protect their information is a complete affront to the faith they once placed in government. Mr. Premier, would you like to comment on that?

**Hon. Mr. McGuinty:** To the minister.

**Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues):** I'm very happy to address this. As you know, once the bill becomes law—and we hope that it may, after a vote in this House and after these amendments are added in committee this afternoon, and we hope, again, that they will pass—we intend for everyone involved in the discussion of adoption records to have a fair say. We said during hearings we wanted to hear all sides. The opportunity for adoptees to go before this board so that—they may be in circumstances that are extreme. We felt, after hearing what people had to say, that we would extend that same opportunity for birth parents, for those very extreme circumstances. How it will actually work will be determined by regulation: how people approach the board, how they can make depositions to that board. We will deal with all of those details, but first, we need to pass this bill.

It's important to note that children have waited many, many years for access to information. The United Nations, as well, has declared at their conference for the child that the supreme right is for children to know who they are and where they come from, and we support that.

#### SERVICES FOR DISABLED CHILDREN

**Ms. Andrea Horwath (Hamilton East):** My question is for the Minister of Children and Youth Services. In the gallery today is Linda Limon from Strathroy, Ontario. Her eight-year-old son Andrew is autistic and very aggressive. He's on a waiting list right now for residential placement in London, but his parents have been told that they won't likely get a placement for Andrew because there's no government funding. They've been told they have a better chance of a placement if they abandon Andrew to the children's aid society.

Minister, thus far, you have denied Andrew his right to treatment. You've talked today about reinstating custody to those families that you've already devastated. When will you put a stop, once and for all, to forcing parents to give up custody and obtain the rights they need for their children's care?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** In my response to the Ombudsman's

report, I addressed his first recommendation. I will be addressing the remaining recommendations, which have to do with the question that the honourable member from Hamilton East is asking, in the very near future.

I would like to reassure the parents in the gallery and across this province that we're working to have a plan and a system in place so that this is not repeated in six months, six years, or ever again.

**Ms. Horwath:** Andrew is non-verbal, so he can't tell his story by himself, but with the help of his parents and with the Ombudsman's report, Andrew can tell the world that you've denied him the services he needs. He needs adequate funding for care right now, but your ministry has been wilfully blind to his needs. Minister, will you stand here today, as of May 30, 2005, and guarantee Linda Limon, sitting right there, and all other parents who are right now on the precipice of giving up parental rights that they can keep their children and get all of the services they need for their proper care?

**Hon. Mrs. Bountrogianni:** Again, the honourable member addresses the recommendations of the Ombudsman's report that I have not replied to yet. I will be replying in the weeks to come. It is a very difficult issue. As I said earlier—

**Mr. Peter Kormos (Niagara Centre):** Tell the moms sitting there.

**The Speaker (Hon. Alvin Curling):** Order.

**Hon. Mrs. Bountrogianni:** As I said earlier, this problem has not developed overnight. It's been years of underfunding—

**Mr. Kormos:** She's sitting right there, Maria.

**The Speaker:** Order.

New question. Member from Prince Edward-Hastings.

1530

#### HEALTH CARE

**Mr. Ernie Parsons (Prince Edward-Hastings):** My question is to the Minister of Health and Long-Term Care. Waiting for a hospital procedure or test can be a very traumatic experience for an individual. For that reason, I and thousands of other Ontarians were thrilled last Friday when the Premier and yourself announced a huge step forward to reduce wait times and to actually fulfill a commitment in the 2005 budget.

I need to tell you, though, that I read an article in the Kingston Whig-Standard a week before your announcement that highlighted remarkable progress in reducing MRI wait times in the Kingston area. According to the article—and I have a copy here—wait times have dropped dramatically in the past six months, both at Kingston MRI and at Kingston General Hospital. Instead of waiting four to six months for a non-urgent MRI, patients are often scanned one to seven days after they're referred. Minister, this is tremendous progress. Can you tell us exactly how this was achieved?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Our initiative with respect to reduced

wait times for MRIs deploys a variety of strategies. It deploys a strategy of bringing new MRI sites: The installation of nine MRIs is ongoing in our province. It includes replacing the old MRIs and CT scanners that we had, and we've done that through a bulk purchase which will see approximately 35 new pieces of equipment coming to life in Ontario hospitals. We've also sought to keep the lights on longer at MRI clinics, and in Kingston this includes more hours at Kingston General Hospital and more hours at the Kingston MRI clinic, which we've worked to move from the for-profit to the not-for-profit sector. The effect of these combined strategies is to celebrate the progress that we've made while recognizing that we have more work to do, but I think that it does reflect very well that the community of Kingston has been publicly acknowledging significant reductions in the time that people have to wait for important MRI procedures.

**Mr. Parsons:** Minister, I've seen ample evidence that our government's investments are bringing results to Ontarians already; indeed, my constituents who heavily utilize Kingston General Hospital and Kingston MRI have remarked to me how fast it is now for them to get an appointment. I understand, though, and I've heard you say yourself, that our strategy is about much more than simply throwing money at increasing volumes, and that one of the challenges we are dealing with is that we're faced with an information deficit. Can you tell me how this deficit came about?

**Hon. Mr. Smitherman:** The Leader of the Opposition spoke to one of the realities a little bit earlier today, I believe. One of the realities that we have in the Ontario health care system is that sometimes it doesn't perform like a system in the sense that we haven't necessarily got all of the data that we need on a timely basis to be able to make timely decisions. One of the elements of our government's transformation agenda is information management. It's not that sexy, but the reality is that if we're going to run things like a system, then of course we depend upon having timely access to information. That's why I'm so pleased that when we talk about MRIs, we now have a baseline study that our government conducted that tells us where our starting point is. The most important part about this is that through local health integration networks, by consistently gaining information on a geographic basis, we can make investment decisions about new resources in a very sensible way. The result is that where Barrie continues to be a community where the waits are too long, we can make sure that we introduce the appropriate amount of resource to reduce those times and have an equitable health care system in the province of Ontario.

#### AMBULANCE SERVICES

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a question for the Minister of Municipal Affairs and Housing. Minister, I've heard from several municipalities that are concerned that the Ontario municipal partnership

fund does not address land ambulance costs. In 2004 and 2005, most, if not all, municipalities in Parry Sound district had their land ambulance costs covered by the old program, the community reinvestment fund. Your new scheme, the OMPF, ignores land ambulance costs. Why have you neglected land ambulance costs in your calculation of the Ontario municipal partnership fund?

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I thank the member very much for his question. As he knows, the old CRF funding model simply was not a fair model. It rewarded some municipalities and penalized other municipalities; there was no sense of fairness to the system at all. So we came up with a system that was heavily weighted toward helping those municipalities that have additional social service costs and police costs, as well as those smaller and rural municipalities that need help from government on an ongoing basis. We are convinced that the system we have in place is fair to the municipalities involved. As a matter of fact, if the member looks at this year's budget, there is an extra \$38 million that we are spending on this program as compared to what we spent last year under the CRF program. The program is fairer all the way around, and municipalities in the long run will benefit from that.

**Mr. Miller:** The program doesn't address land ambulance costs. I know that you attended the FONOM conference up in Parry Sound and you had questions from the floor asking that very question: "Why doesn't the program address land ambulance costs?" Land ambulance costs will only continue to rise, and it particularly affects small, northern rural municipalities. Will you amend the Ontario municipal partnership fund to include land ambulance costs?

**Hon. Mr. Gerretsen:** First of all, let me say that we had a very good meeting at the FONOM in Parry Sound with the municipal leadership from northeastern Ontario.

Let's just remind the people of Ontario once again as to who actually downloaded the land ambulance costs. It was that party over there when they were in government, when they did more harm to the municipal sector than has ever been done before by any government.

However, dealing with the land ambulance situation, which I realize is an issue with a lot of municipalities, we are in the process of setting up a table that the Ministry of Health is going to be involved in. We're looking for solutions. But with the kind of situation that party left municipal government in in this province, it's going to take some time to clear up the mess, all the down layering and all the negative things that they did to the municipalities and to the people who live in those municipalities in the eight years that they were in power.

#### SERVICES FOR DISABLED CHILDREN

**Ms. Shelley Martel (Nickel Belt):** My question is for the Minister of Children and Youth Services. Bonnie McLaren's son, Jordan, has severe special needs. In December 2003, the Community Services Coordination



Network recommended a long-term placement for him. The family has been waiting for that placement ever since. Bonnie has been told that the only way she is going to get a placement is if she abandons her son to the CAS, and this she has consistently refused to do.

Jordan is due to be discharged from the Child and Parent Resource Institute in the next number of weeks. There is no long-term placement for him to go to. Minister, what will happen to Jordan? Are you going to guarantee that he is going to get the residential treatment he needs when he's discharged from CPRI?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** As I said earlier, this also has to do with some of the other recommendations of the Ombudsman's report.

It's true that we've had a gap in funding for so many years that there are long wait lists for residential services, but we do have a plan. We are putting the final touches to it. We have been working on this ever since the child advocate brought this to my attention in February and March. In the weeks to come we will be announcing our policy direction.

**Ms. Martel:** This is an issue of political will, and thank goodness Mr. Marin did the report that he did, or all these families would still be waiting for some long time to come. This is what the Ombudsman said: "The bottom line is this is not a financial floodgates problem. It is an issue of the rational allocation of resources within a bureaucracy, and for those who are affected, this has to be galling."

I can tell you that it is galling to Bonnie McLaren because she has not entered into a temporary care agreement. She has refused to abandon her son to the CAS, but her son needs a residential treatment placement and he needs it now. He is due to be discharged from CPRI in the next number of weeks. I say to the minister again, can you guarantee to Bonnie McLaren today that when her son is discharged, there will be a residential placement for him to go to: yes or no?

**Hon. Mrs. Bountrogianni:** As I said many times today and in the past, we're building a system. We've already invested over \$100 million in this new system for special-needs children. I agree with the Ombudsman's report, I agree with the direction of his recommendations, and I will be coming out very soon with policy directions addressing these recommendations.

## ONTARIO ECONOMY

**Mr. Dave Levac (Brant):** My question is to the Minister of Consumer and Business Services. You are well aware that the strength of Ontario's economy is critical to our ability to finance not just health care and education but all public services in the province. In last week's budget, Minister Sorbara announced that the McGuinty government would be moving forward on legislation reforms to ensure that Ontario maintains its status as an economic engine of Canada. Can you explain

to the House what those proposed changes are and how our government will help Ontario business compete in the global economy? We'd appreciate it very much.

**Hon. Jim Watson (Minister of Consumer and Business Services):** I am pleased, and I want to thank Minister Sorbara for including a reference to changes and reforms to corporate law in Ontario. The ministry is currently working with stakeholders to ensure that new securities transfer legislation will be available that reduces transaction costs, reduces the risk of litigation and harmonizes Ontario and US law to facilitate cross-border transactions. That's just one aspect to bring Ontario in line with other world economies so that we can continue to grow jobs and economic prosperity in the province under the leadership of our Premier.

1540

## PETITIONS

### ANTI-SMOKING LEGISLATION

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas the current government has proposed province-wide legislation that would ban smoking in public places; and

"Whereas the proposed legislation would also prohibit smoking in private, non-profit clubs such as Legion halls, navy clubs and related facilities as well; and

"Whereas these organizations have elected representatives that determine the rules and regulations that affect the membership of the individual club and facility; and

"Whereas imposing smoke-free legislation on these clubs disregards the rights of these citizens and the original intentions of these clubs, especially with respect to our veterans;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario exempt Legion halls, navy clubs and other non-profit, private or veterans' clubs from government smoke-free legislation."

I affix my name in full support of the legislation.

### SCHOOL FACILITIES

**Mr. John O'Toole (Durham):** I have the pleasure of presenting a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario Street Public School community in Clarington wishes to alert the Minister of Education to a damaging situation with respect to overcrowding and underfunding of this French immersion school; and

"Whereas Ontario Street Public School is being penalized because it is located in the fast-growing urban centre of Clarington, but is part of a larger school board

that includes rural communities with declining enrolments and less access to provincial funding; and

"Whereas, despite its exceptional track record, Ontario Street Public School's French immersion program is being reduced from a K-8 to a K-6 program, with a cap on K-6 enrolment, and grade 7 and 8 students being temporarily housed off-site for a third consecutive year; and

"Whereas our single greatest need is in adequate housing of a program that has seen superior academic achievement and a unique community culture building on strong values of success; and

"Whereas the entire Ontario Street school community is committed to working with the Minister of Education and all parties to explore fair, practical and effective solutions;

"Therefore we, the undersigned parents, students and friends of Ontario Street Public School respectfully petition the Legislative Assembly of Ontario as follows:

"To grant special consideration for a review of funding options that will protect and develop the existing K-8 French immersion single-track program at Ontario Street Public School in Bowmanville; and

"To undertake the necessary actions immediately, in the context of the current budget, to resolve the urgent accommodation needs of Ontario Street Public School in the shortest time possible."

I'm pleased to sign and endorse this on behalf of the parents and the community of Ontario Street Public School in Bowmanville.

#### MUNICIPAL AUDIT

**Mr. Pat Hoy (Chatham-Kent Essex):** A petition to the Legislative Assembly of Ontario:

"To: the Premier of Ontario, Dalton McGuinty; Minister of Municipal Affairs, John Gerretsen; Minister of Finance, Greg Sorbara; the Attorney General, Michael Bryant; MPP Pat Hoy and MPP Maria Van Bommel:

"Whereas the municipality of Chatham-Kent has never had a complete audit, nor have audits been made available to the public since amalgamation was implemented on January 1, 1998, according to the Ontario Municipal Act, Bill 111, 2003, section 296; and

"Whereas Chatham-Kent citizens and taxpayers are entitled to have access to such audits yearly; and

"Whereas councillors must be assured that all financial statements and property records have been carefully scrutinized by a qualified auditor and endorsed with a proper signature before proceeding with the annual budget finalization;

"Therefore, be it resolved that we, the undersigned citizens and/or taxpayers of Chatham-Kent, request the Premier of Ontario, Dalton McGuinty, and all named above to direct the Auditor General, Jim McCarter, to conduct an official audit of all resources and finances in the municipality of Chatham-Kent to answer all concerns of citizens and taxpayers."

This petition has been signed by some 7,000 persons.

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** "To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I'm pleased to sign my name to that.

#### FABRY DISEASE

**Ms. Caroline Di Cocco (Sarnia-Lambton):** "Whereas there are patients in Ontario suffering from the rare orphan disease called Fabry's disease; and

"Whereas Fabrazyme has completed clinical trials and has had measured success for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That a new committee/review be established in the province of Ontario to deal solely and specifically with orphan diseases and that Fabrazyme be covered under OHIP or the section 8 process."

#### HALTON RECYCLING PLANT

**Mrs. Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas noxious odours from the Halton Recycling plant in Newmarket are adversely affecting the health and quality of life of residents and working people in Newmarket; and

"Whereas local families have lost the enjoyment of their properties for themselves and their children, face threats to their health and well-being, and risk a decline in the value of their homes; and

"Whereas for the 300 members of the nearby main RCMP detachment, as well as other workers in the area,



the odours are making their working conditions intolerable;

"Therefore we, the undersigned, demand that the Minister of the Environment take immediate action to halt all noxious emissions and odours from the Halton Recycling plant, and take all steps necessary to force Halton Recycling to comply with environmental rules, including closing the plant if the odour problems continue."

As I agree with this, I have affixed my signature.

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Michael A. Brown (Algoma-Manitoulin):** I have a petition that was collected by Aunt Jane Rogers:

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I affix my signature.

#### HEALTH CARE SERVICES

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas the current government has eliminated OHIP coverage for chiropractic services; and

"Whereas the current government has eliminated and reduced OHIP coverage for optometry services; and

"Whereas the current government has eliminated and reduced OHIP coverage for physiotherapy services; and

"Whereas the current government has refused to fund treatment for autistic children even after the courts and human rights commission ruled it should; and

"Whereas the current government has now decided to fund sex change operations, even though the Canada Health Act deems it not an essential health service;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario does not fund sex change operations and reinstates funding for delisted health services."

I affix my name in full support.

1550

#### CREDIT VALLEY HOSPITAL

**Mr. Kuldip Kular (Bramalea-Gore-Malton-Springdale):** This petition is to the Ontario Legislative Assembly:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fundraising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

I also put my signature on this petition.

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** "To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities,

many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

Mr. Speaker, I'm pleased to sign this and present it to Luke to give to you.

#### GASOLINE PRICES

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas gasoline prices have continued to increase at alarming rates in recent months; and

"Whereas the high and unstable gas prices across Ontario have caused confusion and unfair hardship to Ontario's drivers while also impacting the Ontario economy in key sectors such as tourism and transportation;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario consider an immediate gas price freeze for a temporary period until world oil prices moderate, and

"That the provincial government petition the federal Liberal government to step up to the plate and lower gas prices by removing the GST on gasoline products and fix the federal Competition Act to ensure consumers are protected and that the market operates in a fair and transparent manner."

I affix my name in full support.

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** Again, this is one about the Huronia Regional Centre in Orillia.

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

Mr. Speaker, I'm pleased to sign my name to this petition and present it to Misha to present to you.

#### JUSTICE SYSTEM

**Mr. Jerry J. Ouellette (Oshawa):** I have another petition and it reads:

"Petition: In-Depth Investigation of the Judicial System

"To the Legislative Assembly of Ontario:

"Whereas the Honourable Michael Bryant is minister responsible for democratic renewal;

"Whereas the Honourable Michael Bryant, Attorney General of Ontario, is elected to safeguard our justice system on behalf of the people of Ontario;

"Whereas the ministry of our Attorney General may not be aware of the serious and important issues facing individuals involved in areas of the justice system, even though the Attorney General's ministry is continually monitoring,

"Therefore we, the undersigned, ask the Honourable Michael Bryant, Attorney General, for his in-depth investigation of the Ontario judicial system and make the public aware of his findings immediately."

I affix my name.

#### ORDERS OF THE DAY

##### TOBACCO CONTROL STATUTE LAW AMENDMENT ACT, 2005

##### LOI DE 2005 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA RÉGLEMENTATION DE L'USAGE DU TABAC

Mr. Fonseca, on behalf of Mr. Smitherman, moved third reading of the following bill:

Bill 164, An Act to rename and amend the Tobacco Control Act, 1994, repeal the Smoking in the Workplace Act and make complementary amendments to other Acts / Projet de loi 164, Loi visant à modifier le titre et la



teneur de la Loi de 1994 sur la réglementation de l'usage du tabac, à abroger la Loi limitant l'usage du tabac dans les lieux de travail et à apporter des modifications complémentaires à d'autres lois.

**The Acting Speaker (Mr. Ted Arnott):** I look to the member for Mississauga East to lead off the debate.

**Mr. Peter Fonseca (Mississauga East):** Once again, I am so proud to stand before you in support of Bill 164. We, as a government, indeed all of us in this House, have a duty to protect Ontarians from the devastating effects of tobacco and second-hand smoke, knowing full well that we lose 16,000 Ontarians to tobacco-related illness every year.

The most important element of this tobacco control plan, the cornerstone of this strategy, is our commitment to making all enclosed workplaces and public places 100% smoke-free in Ontario, ending the patchwork quilt of bylaws we have today throughout the province. This is going to protect workers and the public from the hazardous health effects of exposure to second-hand smoke. If passed, this law will be one of the toughest laws anywhere in North America. The Smoke-Free Ontario campaign, which includes legislation, cessation efforts, our youth campaign and integration with the federal tobacco control strategy, will be the most comprehensive package in all of North America.

After extensive consultation, I had the opportunity to travel around the province and meet with many different stakeholders from municipalities: mayors, councillors, public health units; also with different entrepreneurial organizations: convenience stores, bingo halls, casinos. After our public hearings, in Oshawa and Tillsonburg, I can say that we have listened to and have heard from stakeholders from all walks of life across the province of Ontario.

After that, we decided to amend a number of pieces in this legislation. The amendments that are being made to the Smoke-Free Ontario Act were made to make the law more effective and offer strong protection for Ontarians from second-hand smoke. We heard stories like that of Heather Crowe, who presented here in Toronto. Many of us know Heather Crowe from her tobacco commercials and how she was a non-smoker who worked in the hospitality industry. But after working day after day in a smoky environment, today she is dying of lung cancer. This will no longer happen. There will no longer be Heather Crowes of the world. Here in Ontario we will protect all Ontarians from those effects of second-hand smoke.

Outside of Heather Crowe, we heard from many others who worked in different establishments where they would have to leave their livelihood because they were being afflicted by different diseases related to tobacco, like chronic obstructive pulmonary disease or other cancers. People had to lose their livelihood and leave those jobs. This will no longer happen here in Ontario.

1600

We listened to so many deputations in our travels. Many of them came from the youth of this province.

They spoke with much knowledge and very eloquently to power walls. We had intended, yes, on banning counter-top displays when it came to this legislation, but the youth came forward and said, "Those power walls are affecting us in the choices we're making."

**Mr. Mike Colle (Eglinton-Lawrence):** What is a power wall?

**Mr. Fonseca:** Power walls are those walls that you'll find behind the counter, often in convenience stores or in other locations, where you'll see hundreds, thousands, of packages of cigarettes. Then, around those packages of cigarettes, you'll see lighted displays of advertising, decorative panels, promotional panels, pushing non-smokers to start smoking—that would be our youth, getting them started—but those power walls also affect those who have been smokers, have stopped smoking and may fall into a relapse when they walk in at a time when they may be going through a stressful situation and see the power wall in front of them: "Why don't I have a cigarette today?" Once again, it starts that negative cycle.

This amendment now includes power walls, and they will be banned. As of May 31, 2006, you'll see that promotional displays around the cigarettes will be gone. Then, as of May 31, 2008, all tobacco products will be out of sight. So you will not see tobacco products in sight; you'd have to ask for them if you wanted to purchase them.

Moving on, the findings that came forward in terms of these power walls were that they were of billboard size and were having a great effect on youth to start smoking. After hearing all these deputations from public health, from our youth, from smokers who had stopped and restarted because of these power walls, we felt it was the best decision to ban them and not have those as the last bastion of advertising for the tobacco world.

There was another part to this legislation when it came to daycare. Under the previous law, smoking was prohibited in nurseries, but under the new amendments to the Smoke-Free Ontario Act we took further steps, and this bill would ban smoking in any private daycare home whether or not a child is present. All those homes would have to be smoke-free. We got tremendous support from the Minister of Children and Youth Services, Marie Bountrogianni. This means that if a person wants to have a private daycare in their home, they must have a smoke-free home.

There were a number of other amendments made around duty-free shops. We found in this legislation that if there was a ban on handling product before it was purchased, it did not work with a duty-free shop. We also found that purchasers in a duty-free shop who are buying cigarettes by the carton were not youth and were not those who were trying smoking for the first time. So due to the nature of their design and how the duty-free shops are set up, we have excluded those from this requirement.

Showing that this is a very balanced piece of legislation, tobaccoists—those who sell only tobacco products, mainly cigars, and nothing else but tobacco products—will be excluded from the restrictions on display and handling.

Once again, Bill 164, the Smoke-Free Ontario Act, will have a huge impact on the lives of so many Ontarians and will be a giant step toward making Ontario a much healthier province.

**The Acting Speaker:** Further debate?

**Mr. Garfield Dunlop (Simcoe North):** I am pleased to rise today, and I'll be speaking in a few minutes on Bill 164 myself. But I did want to say a couple of comments on the previous speaker's—I guess that's their leadoff, all eight minutes of it, on third reading. For such an important bill, I thought they would have done their one-hour leadoff and told the citizens of the province how important this piece of legislation really is to the government. But I guess they summed it all up in eight minutes, and now that's how important it really is. I didn't hear anything about compensation in your seven-minute leadoff speech. I didn't hear anything about Legions.

*Interjections.*

**The Acting Speaker:** Sorry to interrupt, but some of the members across here were wondering whether it was a two-minute hit. The Chair made an error; we're now in questions and comments. The member for Simcoe North is in the midst of his two-minute hit, just to clarify.

**Mr. Dunlop:** I'm sorry; I thought we were doing the rotations. We are doing that now?

**The Acting Speaker:** Yes.

**Mr. Dunlop:** I guess I've summed up what I was already saying a few moments ago. The bottom line was that I will make some of those comments in a few moments, because there are a lot of concerns with that, in spite of the fact that I support the legislation and I support eliminating smoking. I haven't smoked in my life, and I feel very uncomfortable in places where there is smoking, but I still think the government and the community have an obligation to support people who have made this a history in their communities. I think that certain compensations have to be included. I won't say a lot more on that now, because I've already had a couple of minutes in this particular comment. I look forward to speaking in a few minutes from now.

**The Acting Speaker:** Further questions and comments?

**Mr. Michael Prue (Beaches–East York):** It's a pleasure to give a couple of minutes' comments. The member from Mississauga East spoke on the government position and some of the changes that have flowed from the extensive public consultation.

I think most of the changes that have been made have helped to benefit the bill, but I remain skeptical and unconvinced on the government's whole attitude toward the power walls. Although the power walls will come down, they will not come down until the year 2008. If there is a failure to this bill, I would suggest that that is the failure. You have started from a very strong position in which the power walls would come down. The people, the young people especially, who stand in a convenience store and look at those walls are hugely influenced, I would suggest, by what they see: by all of the cigarettes and the

packages; by all of the advertising that flows with them; by the lights, the paraphernalia, the giveaways and everything that is associated with those power walls. It is your choice not to take them down right away. That is the failure of this bill. Had you done this, I could wholeheartedly have told you that I thought the bill was the right thing to do, save and except—I'm going to save that for my speech—how you are dealing with the legionnaires.

The failure of the power walls calls into question who the government is listening to. Why are you listening to the tobacco industry? Why are you listening to a few shopkeepers who have exaggerated fears of what losing these power walls is going to do in terms of their business? You should be there to protect health. This is a health bill. This is a bill to protect children. If you choose, as you are doing, to leave these power walls in place for an additional two years, I hesitate to think how many more young people will get hooked.

**Mr. Phil McNeely (Ottawa–Orléans):** I was pleased to be part of the process to bring this legislation to this stage. I congratulate the parliamentary assistant to the Minister of Health, Peter Fonseca, for the leadership he showed through the hearings that we had as part of the finance and economic affairs committee.

There were changes made in the legislation. This is a good bill. I was on Ottawa city council when Ottawa brought in much the same legislation. The no-smoking bylaw in Ottawa was one of the best things that we did as a council, and people are continually thanking us for that. It was great legislation that's much similar to this bill.

We would have liked to get rid of advertising at the point of sale. We know that thousands of kids in this province get hooked on tobacco just from the power of these power walls. There's \$88 million that is spent on an annual basis by the tobacco industry to entice our youth into becoming addicts of tobacco. So we knew we would have liked to have done that. We've done that in a transitional way that's going to make it easier. In 2006, we go a long way, and in 2008, it's over. So we are going to accomplish what we wanted to do by getting the point-of-sale advertising out of stores.

It's extremely important to our youth, and 24,000 of the kids from these high schools in Ottawa petitioned the Premier and this Legislature to get rid of those power walls. We listened to those 24,000 kids, the people from the Exposé project in Ottawa. They certainly made a difference, and we're going in the right direction. This is good legislation. In 2006, and then finally in 2008, the advertising will be gone and the health of our kids will be much better.

1610

**Mrs. Julia Munro (York North):** I want to, in the few moments I have, just highlight what I consider to be one of the institutional problems of this bill—and I use the word “institutional,” referring to the government of the day—because what they have done is taken something that is, without question, a societal good, the notion of reducing smoking and making areas smoke-free, but it



is, as a number of other pieces of legislation undertaken by this government, at the expense of a few.

In this particular case, I'm talking about those restaurant and bar owners who did respond to the number of municipalities that introduced their own smoking regulations. They then undertook, in some cases, quite extensive renovations in being able to provide a choice to their customers. So I guess my concern here is not that I'm against the reduction of smoking at all. I certainly appreciate and understand the societal good that is inherent in this legislation. I'm concerned about the fact that the price has to be borne by those people who, in good faith, conformed with municipal bylaws, made significant financial investments in their own businesses, to find themselves in a position where that isn't going to help them in the investment of their business. In fact, the investments that they have made become a huge burden. This is the unfair part of the legislation.

**The Acting Speaker:** That concludes the time for questions and comments. I'll return to the member for Mississauga East for his two-minute reply.

**Mr. Fonseca:** I'd like to thank all the members who spoke.

The member for Simcoe North: I'm happy to hear that the member supports this legislation. When he spoke about our commitment in terms of financial commitment, we honoured our commitment of \$50 million to tobacco growers and their communities.

The member for Beaches–East York: We have, after listening to so many youth and the convenience store owners and other businesses—how they would be affected, what we could do, and what would be the balanced approach—decided to take down all the advertising and promotional material by 2006, and then by 2008 the complete power wall would be taken down. I know many jurisdictions throughout the world are looking at what Ontario has done and are looking at bringing down their own power walls.

The member for Ottawa–Orléans: I can say without a doubt that Mr. Phil McNeely was instrumental in bringing down those power walls. We actually called it the Phil McNeely amendment, as he brought so many youth forward to present to us, and many made the long trek here from Ottawa. So we must thank the member for Ottawa–Orléans.

The member for York North brings up the different people who will be affected by this legislation in terms of some of the hospitality establishments. I can say that we did listen carefully to all of them. We listened to the Legions etc. There are about 700 establishments that have designated smoking rooms in this province, but there are 51,000 hospitality establishments. So they make up less than one-and-a-bit per cent of hospitality establishments in the province of Ontario. Study after study demonstrated that those designated smoking rooms do not work and do not protect workers sufficiently from second-hand smoke, so we've decided to do the right thing and make sure that all of those environments will be smoke-free.

**The Acting Speaker:** Now it's time for further debate.

**Mr. Dunlop:** Mr. Speaker, can I have unanimous consent of the House to stand down the one-hour lead-off on Bill 164 until the next time the bill is called in this House?

**The Acting Speaker:** The member for Simcoe North is seeking the unanimous consent of the House to stand down the lead-off speech of the official opposition. Is there consent in the House for that proposition? Agreed.

**Mr. Dunlop:** Thank you very much, Mr. Speaker. I'm pleased this afternoon to stand on the first day of the third-reading debate on Bill 164, an Act to rename and amend the Tobacco Control Act, 1994, repeal the Smoking in the Workplace Act and make complementary amendments to other Acts, the anti-tobacco legislation.

As Mr. Fonseca had mentioned—I'm sorry, I haven't got the right riding name in front of me here; it's got to be a real issue in this House, trying to remember all the ridings—I want to say initially that, yes, I will be supporting this piece of legislation, because I'm someone who believes that all levels of government should try our very best to eliminate smoking. I think it's been proven enough times that it's a danger to our health. I don't know how many studies have been done over the last number of years—decades, in fact—that have indicated that cancer and heart disease and those sorts of things have had an impact on people's lives. I can tell you that in our community, in Simcoe county, we've had a lot of cases of cancer identified. That's why I continually push in this House for a new Cancer Care Ontario unit in the Royal Victoria Hospital in Barrie.

There are a number of things I wanted to bring up today on the bill and why, although I support it, I do it reluctantly, because there are some things in the bill and some things that it doesn't address that I think we as legislators should take into account. A lot of it has to do with compensation, because when you bring in legislation and change the rules in the game, I think there is a responsibility on whoever's changing the rules to compensate those most affected. I'll get to that in a few minutes and give you a number of examples on that. Second of all, what can be exempted? I know I want to speak a little bit on our military establishments that have had smoking rooms for a number of years, and they will be outlawed in this legislation. Of course thirdly is the economic impact that this bill creates on a number of people who are actually employed in the service sector. I'll give you a number of examples on that as well.

If I could just for a moment, though, on the second-hand smoke and smoking in general: I think it is the role of federal and provincial governments, and of course the municipality has a role to play as well, because many of the municipalities have done a really good job of trying to eliminate smoking in the workplace and smoking in municipalities as well, in public areas. I want to pay special recognition now to the county of Simcoe and the Simcoe County District Health Unit, who I feel have done an excellent job up in the county of Simcoe. Most

of the municipalities already have passed non-smoking bylaws. There may be some exemptions like Legions, etc., but I think overall the folks on that team up there have done an exceptionally good job over the last five or six years trying to reinforce the fact we shouldn't be smoking. The fact of the matter is that there have been a number of jobs created in this province as a result of the tobacco industry. We've had tobacco lobbyists here, and members of the agricultural community, the folks who grow tobacco, have been in this Legislature quite a bit. My colleague Toby Barrett, the member from Haldimand-Norfolk-Brant, has put a lot of time into this and worked with the tobacco industry to try to come up with what would be a solution basically around compensation. I think even the tobacco farmers realize that they're on the decline and that there has to be a point where they need to look at the industry as a whole. But it's an amazing thing: When you're in business and you've got literally hundreds of acres, in some cases thousands of acres, and you've got all the equipment set up to handle a certain product, it's pretty hard to just change your plans midstream and come up with another industry or another way of life for your family and the employees who work with you.

1620

From that area, I continually ask about compensation and how big this industry is to Ontario: How big is the tobacco industry, and what does it really mean in terms of dollars to the provincial government, to municipalities? When you actually end up eliminating the tobacco industry or the growers, how will they change their lifestyle and continue to create the kind of employment and the kinds of dollars they turn over as well? That's a question that certainly the average person wouldn't really care a lot about. But if you're caring about your agricultural stakeholders, I think we have to say, "How are they being impacted? What will the bottom line be? What is the lifespan of this business? What can they change to if they decide to stay in business: some kind of wheat, maybe corn?" or whatever it may be. I don't know the answers to those kinds of questions but I think it's important that we at least acknowledge that they are the agricultural stakeholders who have been most affected by this. I commend my colleague Toby Barrett for his persistence in trying to get equity for the tobacco industry.

I also want to talk a little bit about the fact that we're not making an exemption for our military establishments. I just think there has to be a way around that. I know a number of people who are veterans in our community. I have nine Legions in the riding of Simcoe North and one Army, Navy and Air Force Club, and I know that the bulk of them would like to have some kind of smoking room exempt just for the vets.

With the local trips to Europe lately as a result of the end of the war, I know that the people who belong to the military establishments today who are actually veterans of the great world war are mostly over the age of 80. My comment is that during the great world wars, we as a society actually sent cigarettes to these folks to enjoy

while they were in the trenches defending the world, defending our country, giving us the freedom and democracy we have today, giving us the right to have free votes and the right to have this Legislative Assembly. It disappoints me that there can't be something for those people, because I know that a number of them are smokers and they'll probably smoke until the day they pass on. If you're at the age of 80, you probably don't have an awful lot of years ahead of you.

This is one of the areas of the bill that I am very reluctant to support, the fact that we can't find anything for our veterans in this bill. I think it's a sad day in this country when the people who defended this province, defended this country, defended the world against tyranny and gave us democracy and freedom and all the things we enjoy—that there's not some kind of an exemption, for those folks to have a little bit of say. That is an area I wanted to point out in my time today. I think we, as legislators, have failed these people in that area, because there's no question that I think the bill will likely pass in the form that we have today. On the other hand, we've kind of let that segment of society drift away. Those are the people whom I think it's important for us to thank the most at this particular time.

The third point I want to raise is the economic impact. It's an area where there doesn't appear to be any type of support or compensation for the folks who are in the restaurant and bar business, which has already seen dramatic decreases and job losses.

I'd like to read a few of these into the record, Mr. Speaker, if it's OK with you.

This brochure I've got is called *Smoking Bans Kill Jobs: Facts from Bars with Economic Impact*.

"Pubs, bars and nightclubs in the province ... are reeling from four consecutive years of falling sales, with revenues down more than 20% for the average operator in the first quarter of 2004 compared to the same period in 2000."

"It was immediately a 30% loss (after the smoking bylaw)." That's one of the communities that had the smoking bylaw implemented. "Now, with no hockey"—this is going back to the hockey strike—"it will drop down to 40%. The smoking room will help a little but (the bylaw) is still hurting business—big." That is from Siva Balakaran, the co-owner of a Shoeless Joe's franchise on Eglinton Avenue West, right here in the city of Toronto.

"Chippawa restaurant owner Tracy Stamp pleaded on behalf of 40 Niagara Falls businesses to revoke the anti-smoking bylaw, at least temporarily. She said that since the bylaw was enacted close to a year ago, 18 businesses in Niagara Falls have closed, while another 25 sustained combined losses of \$900,000."

I'm reading these into the record for a reason. I just want to indicate the number of job losses there are and how it will impact the economy, because obviously there's no compensation in this area.

"At the Cameron House ... the pain has also been acute. 'I've had no choice but to take protective measures



to get us through the summer,' said Cindy Matthews, one of the Cameron's owners. 'I've had to lay people off.'

"Tavern, bar and nightclub operators in Ontario saw their sales plummet ... through the first quarter of this year with another 7.4% drop. In contrast, first quarter 2004 sales for the average restaurant operator increased 7.8%."

"Labatt Brewing Co. Ltd. announced plans in December to cut 20% of its white collar workforce—240 jobs. It partly blamed slumping sales at bars and restaurants, which are also suffering the impact of smoking bans."

"The Hotels Association of Saskatchewan calculates the province's smoking ban will cost more than \$100 million in the first year."

"A recent survey in New Brunswick found that sales plummeted by an average of 24% in the first month of an October 1, 2004 provincial smoking ban, compared to a year earlier, for 71% of liquor-licensed establishments."

"... at the former Bacchus Lounge [Toronto], where co-owner Lisa Soroohan isn't so happy. 'We saw the immediate impact of (the smoking ban).' Once filled to capacity on weekends, the bar's business dropped by half.... The lounge lost hundreds of thousands of dollars and closed a few months ago."

"Thirsty's Roadhouse on Exmouth Street is possibly the bylaw's first casualty, with owner Terri Kavanaugh announcing she has it listed on the market for \$129,000. Sales dropped 20% in September and 25% in October compared to the same months last year."

"It's something else,' says the bartender at the Consort Bar inside the prestigious King Edward Hotel. 'It's like Prohibition. I have never seen anything like it in the 25 years I have been in the business.' On a normal night, prior to June 1, it would be nothing ... to bring in \$6,000 in sales in an evening. This past week, he's had two shifts where sales have been \$100."

1630

These are all quotes from restaurant owners who have had the smoking ban already in place with the municipal bylaw. But the fact of the matter is, this is what we have to look forward to with a province-wide ban.

"Bar and hotel operators in Winnipeg and Brandon"—Manitoba—"have seen their revenues drop by as much as 20% since smoking was outlawed indoors."

"I would say our business is down 30% to 50%," said Darryl Fine, owner of the Bovine Sex Club, a dark cave of a bar on Queen Street West."

"Across town, at Boomerang's Bar and Grill ... co-owner Steve Sparks has also lost a lot of business.... Business ... is down between 15% and 20%."

"At Nick's Place" in Moose Jaw, "... 'Nobody's coming in. Business is down, the VLTs are down, everything is down over there. Major losses; I'd say at least 50%."

"The hockey" [lockout] "was the final straw," said Tony Morra, manager of the Originals bar in Toronto. 'With the smoking bylaw and the hockey on top of it, it's like a double whammy.' Mr. Morra said weeknight sales of his 250-seat bar are down from \$7,500 on nights when

the Leafs were playing last year to \$4,000 in these hockey- and smoke-free days."

"Lisa Kwan, owner of the Rainbow Cafe on High Street, said her business is down 40% since the bylaw went into effect last year."

"Bar owner Patsy Richard of Bas-Caraquet" New Brunswick "says her profits have dropped by 40% since the no-smoking law came into effect October 1st."

"Draft beer sales across the country plunged 14% in October as the NHL hockey lockout and increasingly stringent smoking restrictions encouraged Canadians to stay home."

What I'm trying to say with all these quotes is that when we enact this legislation in Ontario—and it's quite clear that it will be passed, and possibly passed before we adjourn in this session—I think it's important to note that the impact of a province-wide ban will likely result in the loss of many, many jobs in this sector—in the bar, nightclub and dining room sectors.

I guess we've completely eliminated the fact that we will have any separate ventilated rooms that people can use. At this point, it's my understanding that the way the legislation will read will simply be that you'll have to go outside and down the street if you want to have a cigarette. I guess that's the message the government wants to send, but as for the ministers responsible for economic development and trade and tourism, I think the government has to be very concerned about what impact it will have and where the government will fit in any kind of a compensation package for these folks.

It sounds like there's nothing planned. We hear these fancy announcements on tourism and on economic development and trade—how a car manufacturer is coming here or something else is happening over here—but the bottom line is, these are the people who are in the little nightclubs, the little bars and restaurants and dining rooms whom we know right now. We felt that the ventilated rooms would be adequate in a lot of areas, particularly areas like, as I mentioned earlier, the smoking rooms in the Royal Canadian Legions. However, with that said, I understand that the government wants this bill passed and is carrying on, with or without compensation.

As I said earlier, I will be supporting the legislation because I've had people in my family die of cancer as a result of smoking. Every step of the way is a positive step or a first step. On the other hand, as a politician, as somebody responsible to the electorate, somebody who supports tourism and economic development and trade, I have to say that I support the bill very reluctantly knowing that I'm not going to have any way of helping any of those bartenders or any of those jobs that are being lost in that sector. I think it's important that we continue to note that they will in fact be lost. We have given a number of examples from other provinces.

As a country that's trying to promote tourism not only here in Ontario but throughout our whole country as we try to attract people back to Canada, back to Ontario after the SARS epidemic in 2003, there's nothing for these folks who are in that sector, and that does scare me. I

understand that the tourism budget has been slashed by around 21%, I believe. That tells me that they're taking the marketing money out of the Ministry of Tourism, because I don't know where else they'd take 21% unless they just take the marketing money away. Again, it's kind of a double hit. If there's nobody marketing the province for people to come here, and at the same time we're eliminating some of the things people like to do, like the ventilated rooms, etc., I think we have a huge concern as we look down the road.

That being said, if we can stop young people like these new pages we've got here today—by the way, congratulations on your appointments as pages; I hope you really enjoy yourselves here—I think it's important that our whole message is about educating young people not to smoke and, at the same time, trying to find a few dollars here and there to compensate some of the tobacco farmers and the small business community who are going to have dramatic losses with this bill when it's passed.

Again, as I said earlier, I will support the bill but in a very reluctant manner, knowing that some of our key stakeholders are not being compensated by Dalton McGuinty and this government.

**The Acting Speaker:** Questions and comments?

**Mr. Prue:** It's always a pleasure to listen to the member from Simcoe North. He talked about a great many things, but I want to just key in, in the two minutes I have, on the comments he has made about businesses.

Whereas I would agree that some compensation may be necessary for some businesses who have rebuilt their businesses according to municipal bylaws that were extant at the time and that might be superseded by this bill, the reality is that for all of the rest of them I fail to see the argument, and I have to be very blunt about this, of businesses saying, "If you stop smoking in Ontario, my restaurant or my bar is going to suffer." Quite frankly, I do not buy this argument.

Having been on the board of health of both the borough of East York, as it then was, and then on the city of Toronto later on, the statistics are overwhelming that bars and restaurants may have a decline in the short term of some of their patrons as patrons readjust their lifestyle patterns, but inevitably they rebound after a very short period of time when people get used to the fact that you can't smoke, you can't drink, the type of food has changed or the entertainment has changed. There are many factors as to why people attend some bars or restaurants, why some are successful and some are not. In fact, if you look at the jurisdictions that came before what is happening in Toronto, Ottawa or Hamilton, you will see in places like California and New York, where smoking was banned in those restaurants and bars, the exact same phenomenon took place there that later took place in Toronto, Ottawa and other municipalities: The number of patrons who smoked went down in the short term but rebounded in the long. There is no real statistical evidence to prove that even one bar went bankrupt because smoking was banned, because bars and restaurants go bankrupt every day.

**Ms. Caroline Di Cocco (Sarnia-Lambton):** I am pleased to rise to respond to the member from Simcoe North. He made a couple of points with regard to the economy as well as compensation, and I'd like to address those.

When it comes to compensation, we did commit and have provided \$15 million to help with economic development to communities that require it, and \$35 million to tobacco farmers. We did that because—you're absolutely right—there's a transition taking place. We have to be cognizant of that and provide some compensation.

When it comes to the economic argument, in actual fact a number of economists can prove that, long-term, a smoke-free environment actually increases business in many of these locations. Why? Because for places that would not normally bring in families with children, now the parents will bring in their children. It tends to, over the long term, build a larger clientele. That's what economists have found in places that have had smoke-free environments much longer than many other jurisdictions. I would suggest that that argument really is not a strong argument, and certainly there's a lot of evidence to show the contrary.

This legislation is very progressive. As a matter of fact, some people say it doesn't go far enough. I believe it's progressive. I think it has certainly provided a balance so that we could move to smoke-free environments, because, after all, it is a workplace safety issue as well as a health issue, and health issues should not be trumped by very weak economic ones.

1640

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** I am pleased to join in the third reading debate on Bill 164. I would really like to support this bill because there is much about it that I do support. I don't smoke, my wife doesn't smoke and none of our children smokes.

**Mr. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** That's why you're so tall.

**Mr. Yakabuski:** That's right. We see the value of not smoking. On the odd occasion when I drive my daughter to school—she's going to be 16 in August—and we have to drive by that one portion of the school where all the kids are out there smoking, I say to her, "Emily, what's going on here? We still see all these young kids out there smoking." She says, "Dad, I don't understand it, but I know one thing: you ain't going to find me out there." So we realize that smoking is not healthy.

But there are so many parts of this bill—and I'll have a chance to speak to them a little later—that I have problems with. It's not that we've got a problem with anti-smoking legislation or restrictive smoking legislation. I think the time is right, here in Ontario, to have a bill that controls smoking or eliminates smoking in certain areas, in public places, which this bill is designed to do. But the problem with this bill is what it doesn't do, the things that it doesn't address with regard to compensation factors and other things, not only in the tobacco industry but in the hospitality industry as well. As I say, I will have an opportunity to speak on those further down the line.



I do want to thank my colleague from Simcoe North for leading off this debate. At least we're attempting to make a contribution to the debate, unlike the government side that just wants to push this through in about 11 minutes and three seconds. We believe there is something to be discussed yet, and we will be doing that.

**Mr. Colle:** One of the difficulties we find sometimes as legislators is trying to do something for which there is never really a clear answer. It was referred to by the member from Simcoe North, who talked about the Legions and the problem we have. As you know, many Legion members have said we should give them an exemption or something. I am an associate member of Fairbank Legion, number 75, at Eglinton and Dufferin, and the really hard thing to do is to tell them that maybe the best thing to do is not to continue smoking.

I had a good friend who used to be a crossing guard and a very active member of the Legion. Her name was June Delorme, a very active community supporter in the city of York and the Fairbank area and a very active member of Fairbank Legion. The one challenge that June had is that she was a smoker and she smoked for decades. Sadly, this winter, June passed away from cancer of the esophagus, obviously directly resulting from the smoking.

When Legion members I know at the Fairbank Legion ask me about the smoking ban, they're divided. Some of them say they would come to the Legion if there were less smoking and some say, "Well, it's the one place where you can smoke." But I reflect back on the loss of my good friend June Delorme at Fairbank Legion, who is no longer with us. She was a young woman who died of cancer.

That's why I think sometimes we have to make the right decision. As I said, it's not easy because the veterans certainly deserve full consideration, but on the other hand, we see people dying. What are we going to do?

**The Acting Speaker:** The member from Simcoe North has two minutes to reply.

**Mr. Dunlop:** I would like to thank the members from Beaches—East York, Sarnia—Lambton, Renfrew—Nipissing—Pembroke, and Mr. Colle for his comments on my 20-minute speech.

We could talk about this all day. To the member from Sarnia—Lambton, I have talked to quite a few people who are bar owners, and they have seen a dramatic decrease in their sales. I'm not talking about a bar where you would take your wife and kids out to dinner. You're mentioning places where you go for breakfast that used to be smoky etc. I know some of them. They've recouped and they're doing very well. I know some dining rooms where you have to go right outside; they just made that decision. I don't have a problem with that. They've suffered for only a very short period of time.

I'm talking about the people at the bars where there's a rock and roll band or a country and western band or something on and they're open until 2 o'clock in the morning. Those are the places that are suffering, and those people employ a lot of people in our economy. I'm

saying there is an economic impact in that particular area. Go in and ask them. Just drop into a few of these places and ask them how their business has been. They will tell you that. I'm just saying that there's no compensation factor here.

Finally, a question I'd like to give to the government members, and hopefully somebody in some of their comments can bring it up or respond: If the government likes to collect the taxes on cigarettes and cigars etc., and it's bad for your health, and we're passing a bill like Bill 164 and we want to see smoking eliminated, why wouldn't we just make it illegal over a long period of time? It looks like we're asking for both. We're asking for money from the taxpayer, and at the same time we're trying to outlaw it.

**The Acting Speaker:** Further debate?

**Mr. Prue:** The first item is that I am seeking unanimous consent to hold down our lead until either later today or until the next session.

**The Acting Speaker:** Is there unanimous consent to stand down the leadoff speech of the NDP until later today or the next session—

*Interjection.*

**The Acting Speaker:** —or until the bill is called again? Agreed.

**Mr. Prue:** Thank you, Madam Clerk, for putting the correct word there at the end; not until the next session, of course, but until the next time the bill is called.

In the 20 minutes or so that I have, I'd like to speak to this particular bill and to some of what I think are the good points of the bill—and I think most of the bill is very good—and to some of the failings in the bill. I have to be very blunt at the outset and tell you that in spite of the failings and failures of the bill I'm probably going to support it because it does a whole lot of good things, to the point that I cannot in all good conscience turn around and say that I'm not going to support the bill itself.

Smoking, we all know, is a socially unacceptable thing. It has changed four-square in the last 20 years. It used to be quite common, when I started working for the government of Canada—I guess this is more like 30 years ago—that in all of the offices people were allowed to smoke. The person at the desk next to me smoked and had an ashtray full of cigarette butts by the end of the day. He was a chain smoker. He smoked maybe 40 cigarettes in an eight-hour shift and we all breathed in his second-hand smoke, knowing that it wasn't good for us, but it was just what happened.

I remember council meetings at the borough of East York, where smoking was allowed in the old building, and it was not uncommon during a council meeting to have councillors pull out a cigarette or two and smoke those cigarettes at the council meeting. One councillor even used to bring great big stogies and smoke those great big cigars during the council meeting in East York.

They smoked them at Metro Hall; they smoked them at city hall.

**Mr. Colle:** Brian Harrison.

**Mr. Prue:** Yes, Brian Harrison.

It was just commonplace that in your workplaces, in electoral offices—I don't know whether smoking was ever allowed in this Legislature, but it could well have been at some point. People considered it socially acceptable, even if you were a non-smoker, and even from the 1950s and onward when scientific tests started to show you that it was absolutely wrong and that there was some real, grievous harm that would come to those who were breathing in second-hand smoke.

I don't think there is a question today. Apart from a couple of cigarette companies that still belie the scientific evidence and say that second-hand smoke and even smoking won't hurt you, everyone around the world knows it is socially unacceptable, knows that what they are doing not only harms their own person but in reality harms everyone else around them. That is why governments over a period of time have moved to ban smoking in workplaces and enclosed areas.

1650

The province has been pretty slow off the mark. If you want to look at who did it first and who did it best, it was the municipalities and, where they had the jurisdiction, the federal government.

We all remember the time when you went on to a plane—and if there was ever an enclosed space in your life, it was on an airplane—and as soon as the plane took off everybody lit up, except for those people who were in the first few rows. But it didn't take more than five minutes for the entire plane to have all those carcinogens filtered and refiltered and rebroadcast to everyone who was there. The federal government long ago decided that you couldn't smoke on planes, and I guess there's still a warning if you try to sneak into the washroom in the back.

**Mr. Yakabuski:** They'll throw you off.

**Mr. Prue:** They'll throw you off—the buzzer will go off and somebody will be waiting for you at the other end. That's a good thing.

Some of the lead municipalities in this province one by one started to look at what was wrong with smoking and determined, in the absence of provincial legislation, that they were going to do the right thing.

Over my political career I had the opportunity to sit on the boards of health of two municipalities, the first one being the borough of East York and the second one the city of Toronto. I was very fortunate, in sitting on both of those boards of health, to have a wonderful medical officer of health who was leading the charge on municipal governance around this. That's the same medical officer of health, Dr. Sheela Basrur, who is now the provincial medical officer of health and who I'm sure has had a tremendous influence on this particular bill. The things we learned about second-hand smoke and about the arguments that are being made against this bill in some quarters I have listened to for many years, and they have very little credibility.

One is that restaurants are going to go out of existence and they're going to be forced to close up and they're going to go bankrupt if you're not allowed to smoke in

those restaurants. The reality of the situation in Toronto is that of restaurants that open today, only about 50% are still there a year later. The failure rate of restaurants is very high. People open them up, there are expectations, there's somewhere new to go, they get clientele at first, but it's very difficult in a competitive atmosphere like the city of Toronto or some of the larger cities like Ottawa, Hamilton or Mississauga to keep them going in the long term. They have to have a catch. They have to have excellent food or excellent entertainment, they have to have extended hours; they have to have something that is different that draws the clientele in. The mere fact that they have smoking or don't have smoking is hardly an edge in today's society.

I will tell the restaurateurs who are afraid of this that the reality is that it's not going to make one bit of difference. If a restaurateur is good at his or her job, then the restaurateur will keep the business coming. If they have to adapt because they no longer have a smoking room, then they'd better adapt by finding something that is exciting, that brings the patrons back. Whether it's a big-screen TV, whether it's entertainment, whether it's a new menu, whether it's bar staff who know what they're doing, whether it's knowing how to mix the latest cocktails, whether it's some kind of new ethnic cuisine, whatever it is, that's what they need to develop, because they cannot succeed on the basis of whether or not you're going to be allowed to smoke there.

In reality, as I said a few minutes ago in my two-minute comment, where smoking has been taken out of the restaurant industry in other places, starting with California, New York and some places in Europe, it has been shown that it hasn't made one iota of difference in terms of whether or not a restaurant is successful. There are so many other factors at play that you cannot simply say, and no one has been able to prove, that the loss of permission to smoke has ever caused a restaurant to go bankrupt or ever caused a loss in clientele. Sure, there are some people who would go from one restaurant to another based on smoking, but I will tell you that over the long term they wouldn't stay at the new restaurant if it was not able to provide the service, the food, the clientele or whatever else they were expecting to have there. The smoking, in and of itself, is quite secondary.

Now to the bill itself. There are a couple of contentious items that are still in the bill, and I want to deal with them.

The first one I want to deal with is the whole concept of power walls. We have a government here that I believe caved in to the tobacco industry and to the small-business lobby that came before them. The reality is that those power walls that exist in small convenience stores are there for a purpose: They are there for the purpose of selling cigarettes, not just for the convenience of being able to turn around and pick them out and turn quickly back to the customer, but actually so that the customers can see the advertising, can see the row on row of cigarette products and can be enticed into trying them, changing brands, trying cigarettes for the first time or doing whatever.



We know that those power walls are particularly insidious to young people. We know that young people who are considering—and I hope not too many do—taking up the habit will see. If you ask them the colour of Players' brand of cigarettes, they can tell you the colour. They can tell you the promotion on Export A. They can tell you who manufactures what types of cigarettes, even though they don't smoke, because they know from the power walls what the advertising is and how that advertising influences them.

I believe that if this government were truly serious about getting rid of power walls, if you were truly serious about wanting to save lives, you would not be granting the extension till the year 2008; you would be doing it in 2006, like everything else. I have to ask the question to the PA, and to Mr. McNeely, who has been credited with being the author of this amendment, how many children between the years 2006 and 2008 are going to look at that power wall, whether it has advertising on it or not, are going to see the row on row on row of cigarettes, and how many children are going to be enticed, how many young adults are going to be enticed, to say, "Give me one of those"? Every time a new person succumbs to that power wall, someone else is hooked.

For the life of me, I do not understand why there is an exemption to the year 2008 for that. I know that the tobacco lobby wanted it and small business owners wanted it. But if you are intent upon protecting the health of young people, those who are easily influenced by the advertising, then you have to do away with the power walls, and you should not be doing this extension. This extension is wrong; this extension is not defensible in any way.

I have some real misgivings about this, I'll tell you, and it has caused me some deep concern about whether or not I can support the bill. But as I told you in the beginning, there are other things in the bill that make me want to do it, because I don't think we can have a hodge-podge in Ontario any more, with some municipalities playing suit and other ones not doing it.

The second problem I have with the bill—and this is where I would have succumbed. I would have said to the Royal Canadian Legion and to the branches of the Royal Canadian Legion, "The people in your branch have an average age, of the veterans"—I'm not talking about associate members. The actual veterans who are in the Royal Canadian Legion have an average age closing in on 84. If you want to ask me whether I think I can protect them or whether they're already hooked or whether the advertising is going to make any difference, I will tell you quite bluntly that that is probably a hopeless cause. I am not going to be able to convince too many members of the Royal Canadian Legion who have smoked for 60 or 70 years that it's now somehow wrong that they continue to do that.

This past couple of weeks we have doffed our hats. We have said wonderful things. We have gone to Legion exercises. We have remembered the end of the Second World War. We have remembered what happened 60

years ago and the brave men and women who liberated Europe, who liberated the South Pacific, who fought on the seas. We have said all kinds of wonderful things about them, and indeed we should. We need to protect what is the last vestige of where they feel safe and at home, where they go for camaraderie.

1700

I am a very proud member of the Royal Canadian Legion, an associate member. That means only that my father served in the Second World War; that's what that means. I am the son of a person who served in the Second World War on behalf of his country. This Legislature, this bill, even the Royal Canadian Legion owes nothing to me other than that I carry on the tradition of my father, who is still alive and who still occasionally goes to the Legion from time to time, even though he too has given up cigarettes. You owe nothing to me, but I think we do owe a huge debt of gratitude to the men and women who fought for us. All they ask in this legislation is that you not grant the tobacco lobby the two years to continue with their power walls to entice young people. They ask that you grant them and their association and their club a two-year window so that they can phase out tobacco. If you granted that to them, till the year 2008, the average age of the legionnaire at that point would be 87 years old. I don't know; I hope they all live to 100 or even more. But I have to tell you, every time I go to the Legion branch, there are fewer and fewer of the actual veterans. If you granted them the three-year window, the problem would take care of itself. I don't mean to be crass and I don't mean to be mean, but it would take care of itself.

I am also mindful of the Legion branches and the problem they have in keeping afloat. At the start of this year, we had five branches in Beaches—East York: There was Branch 22 on Woodbine Avenue; there's Branch 345 on Peard Road; there's a branch on Dawes Road at Danforth, Branch 11; there's Branch 1 at Coxwell, just south of Gerrard; and last but not least, there is—or was—a branch, Branch 42, at Woodbine and Kingston Road. I say "there was" because the branch at Woodbine and Kingston Road has been forced to close because of declining membership—not because of the cigarette or the lobby, but in fact because there are no longer sufficient members of an age who have maintained it over all of these many 60 or 70 years who have the capacity, the wherewithal, the knowledge or the strength to keep it going. So the Legion members, those brave men and women whom we salute, whom we honour every day, are no longer able to attend and are no longer able to keep it up.

I am afraid that if we were to move, as we are here, to ban smoking in other Legion branches, the other four remaining branches in Beaches—East York may come to the same fate. If there is something that's going to cause a decline in their membership, they too are going to have a problem. The problem: Once the branch is gone, it cannot and will not be resurrected. There are simply not enough members who have fought to maintain it. The

sons, the daughters, the associate members and the others who go there do not have the same tradition. We try to honour our parents, we try to honour those who came before us, but it is not our club. I do not feel in the same way that it is my association, the same way as those people who are in their 80s who have spent their entire lifetime in the service of their country and in service of the Legion feel. It is not the same.

So I am telling the government members, if you want to extend something, don't extend the power wall; extend the Legions. You will be doing a service for those brave men and women and, at the same time, you will be making sure that no kids get hooked.

The last item is a difficult one because it has to do with compensation. I applaud the government for compensating the farmers. You did exactly the right thing with the \$50 million to compensate the farmers for getting out of that business. I don't care whether they grow broccoli or asparagus or have a beef farm; they need to do something other than grow tobacco. We no longer need this product, and we should no longer be supporting this product. If money is necessary to get them out of that business, then I think it's well spent.

I also have to say, though, that I think you have a similar obligation, which has not been met, to some of the restaurateurs and bar owners who made renovations under the extant laws of the municipalities in which their operations were taking place, whether it be Mississauga, Toronto, Hamilton or a slew of other municipalities that passed laws prior to this, where there was a time frame given. Some of the time frames end in 2007, some in 2008, some in 2010. Restaurateurs made a decision based on that, and I think if you are to be as fair to them as you have been to the farmers, you have to offer them compensation as well. In the end, they need to be shut down. I have no compunction against that. I think they should be shut down. We need not to breathe the smoke. But in the meantime, you are changing this without compensation. You are going to cause a great many of them difficulty.

I ask the members of the government side—you have your legislation, and I said I'm going to vote for it anyway. These are the three areas: one where I think you went too far, one where you haven't gone far enough, and the third one where I think you have left out some people you should not have left out. If you can find it within yourselves to compensate the farmers, you should find it within yourselves equally to compensate those restaurateurs who in good faith acted under the municipal bylaws.

It is a good bill. I will be voting for it. It could be a great bill if the government had just made a couple of small changes. Thank you very much.

**The Acting Speaker:** Questions and comments?

**Mr. Lalonde:** I was listening to the member for Beaches—East York, and let me tell you about one point he made right at the beginning. It used to be socially acceptable to be smoking in a public place. You used to see them on television having a smoke. But today it has become unacceptable. It's not socially acceptable.

I come from a family where my father used to smoke. I never did. My two sons, François and Mario, have never done it. But let me tell you, if restaurant owners are saying right now that it is going to kill their business, they've had a solution ever since the minister brought in the bill to bring your own bottle of wine. If you think you are going to lose business, just accept this new regulation to bring your own bottle of wine to the restaurant.

It's true; I've been talking to high school students just lately. I met them. They were having a smoke at the gate of the high school. After that, I was invited to go and speak to a workshop at the high school on summer jobs. The first thing I told them was, "Don't forget, if you are a smoker, you lose 50% of your chance to get a job for the summer. A lot of people will do an investigation, and if they find out that you are a smoker, the chance of getting a job is not there." You might say it is discrimination, but it is left to the employer. Why are they doing that? Because every time they feel like having a smoke, they become very hyper and they cannot serve the client properly.

1710

**Mr. Yakabuski:** I thought the member for Glengarry—Prescott—Russell was getting a little hyper. I was going to send him out for a smoke. But, of course, he doesn't smoke.

I just wanted to comment on my colleague from Beaches—East York. He talked about the Legions and how they may be affected negatively by this bill. He's touched on some very important points.

Everyone knows the contributions that veterans have made to this country. My father was a veteran of World War II. He was a smoker. They gave him cigarettes when he was in the trenches, I guess to make it a little easier to deal with the various difficulties they had to deal with over in Europe. Most of those men who came back from Europe and elsewhere were probably addicted to tobacco when they came back, and the government was part of it. At that time, in fairness, I think most people had the idea that smoking was a neutral thing. For some, it felt good and tasted good. I can't imagine why they felt that way.

Having said that, many Legions today, as the member said, are in difficult financial circumstances. I was contacted by a lady just the other day who asked me, "Is there a program out there for the government to assist Legions? We're in big trouble. What about the Trillium grants?" I said that they couldn't help them with their operations. If they were doing some handicapped-accessibility renovations, there might be a Trillium grant available for that, but there's nothing to help them with their operations. The Legions are certainly suffering. We'll touch more on that later.

**Ms. Shelley Martel (Nickel Belt):** I just want to follow up on some of the comments made by my colleague from Beaches—East York. I want to focus on compensation, because I will have a chance to speak about power walls and other displays later on.

I think the government needs to consider two things. Number one, with respect to farmers, it is true that the



government, in its election platform, promised \$50 million to farmers to help in the transition away from tobacco production into something else, and the government, during the course of the hearings, came through on that. But I have to tell you that during the course of the public hearings, we heard overwhelming evidence from a number of farm families who came before the hearings to say that they are being absolutely devastated by what is happening in this industry right now. That \$50 million to move them into production of something else is not going to deal with all the farm families who are in crisis and who need to move to something else. I really encourage the government to take a very strong second look at the recommendations that were made to the committee for federal and provincial intervention, financial intervention and other intervention, to really help farm families who are in crisis, not just as a result of this legislation, although this legislation certainly promotes their exit out of tobacco production.

Secondly, with respect to those small businesses that established designated smoking rooms, I'm not in favour of the designated smoking rooms. They were not established in my community when the ban went through. However, in a number of other municipalities, bylaws were passed that did allow for the establishment of designated smoking rooms. People, in good faith, following the law, under the current bylaw, made a financial decision to establish a designated smoking room, feeling that they would recoup their income over that period of time in the bylaw where they would be allowed to operate it. That's not going to happen. We have a precedent in this assembly of providing compensation to a number of tourist operators who were affected by the cancellation of the spring bear hunt. I think the government should take a look at those businesses that have been similarly affected and consider compensation for them as well.

**Mr. Colle:** I just want to say that sometimes we have to put in perspective what this is all about. We talk about the effects on farmers, which is legitimate, but what about the effect on the 16,000 families a year in which a person dies from smoking? What's the impact on those 16,000 families? We're outraged by the fact that there are 60 homicides a year in Toronto. We should be outraged that 16,000 Ontarians—men, women, children, grandparents—die from this deadly killer called tobacco. That's why we need this legislation.

No matter how much we talk about it, it never seems to get through to our young people. I think we should ask our young people to tour West Park Hospital in Toronto, as I did, where they've got a whole floor of people on ventilators. "Before you want to start smoking, go to the hospitals and see people dying from tobacco. It is not a casual thing you're doing. You're killing yourself." That's what we should be concentrating on because, as the member from Glengarry—Prescott—Russell, Mr. Lalonde, said, young people are still not getting it. They're still outside schools and restaurants smoking this deadly cancer stick. They still do not believe the data.

They don't believe it. Perhaps, as I've said, we should let them know about the deaths that are occurring in our hospitals. Let them see the impact of this cancer on people. That's the real impact that this bill tries to deal with: the killing, the maiming—cancer of the tongue and the lips, cancer of the esophagus, cancer of the lungs. Your whole body is basically destroyed by this thing, and that's what bill tries to tell young people: "This is over, folks. We can't afford it and we can't stand idly by while 16,000 Ontarians die from this cancer."

**The Acting Speaker:** That concludes the time for questions and comments. The member for Beaches—East York has two minutes to reply.

**Mr. Prue:** I thank the members from Glengarry—Prescott—Russell, Renfrew—Nipissing—Pembroke, Nickel Belt and Eglinton—Lawrence. You all had good comments to make. I only have two minutes and I'd like to concentrate on the last two speakers.

The member from Nickel Belt talked about the compensation that this Legislature had given to people whose businesses were affected by the spring bear hunt. For someone from Toronto, that would not be something that would be readily apparent to me. But when I think back to what I read in the paper about the spring bear hunt, there were a lot of people in northern Ontario, particularly, who had set up camps and had invited primarily American tourists to come for a spring bear hunt. When that was banned, in the wisdom of the Legislature, compensation was made available to them. If an activity that had been legitimate, an activity that had been condoned by the government, was suddenly done away with, it seemed to make sense. I don't see how the same thing cannot be followed here.

The member from Eglinton—Lawrence is absolutely right in what he says, but I have some difficulty—because what is drawing the young people into smoking cigarettes is primarily the advertising. It is the advertising in this bill that is not being done away with at anywhere near the same speed as the other provisions. The power walls will remain until the year 2008. Even though some of the advertising will be gone by 2006, it is the power walls that are going to entice young people more than any other aspect of the cigarettes. If you don't want them to start smoking—and that's where we should be going—if you don't want 16,000 of them to die 40 years from now, then it is the power walls that have to come down. That is the problem.

I thank them for their comments.

**The Acting Speaker:** Further debate?

**Mr. Yakubuski:** Apparently the government side has nothing left to say.

**Mr. Lalonde:** We wanted to give you a chance, John.

**Mr. Yakubuski:** I appreciate the member for Glengarry—Prescott—Russell giving me a chance.

We've heard quite a bit about this bill. To begin with, let me reiterate that I am opposed to smoking. It's not a healthy habit; in fact, it's an extremely unhealthy habit. It's not only unhealthy; it's dirty, it stinks, and I can't for the life of me understand why anybody who had a choice

would take up smoking. It really baffles me when I see all these young people today beginning to smoke.

I started to talk about driving my daughter to school and her making the comments—and I won't say exactly what she said because I wouldn't want her to suffer any repercussions from any of those smokers at her school. But she didn't have any nice things to say with regard to the decisions of some of those young people to smoke, given the knowledge we have today with regard to the dangers of smoking.

1720

Having said that, I remember—I'm going to say it's at least 10 years ago—when the board of education in my county was allowing students to smoke on school property because they felt it was a danger if they had to leave school property. I remember writing a letter to the board asking them what they were thinking: "How could you be encouraging this by allowing students to smoke on the property of the high school?" I often wondered why kids who were 16 years old were allowed to smoke on school property when you couldn't buy them until you were—what is it?—18 or 19. I'm not even sure how old you've got to be to buy them, but you were allowed to smoke them on school property. So I questioned where the consistency with regard to smoking and young people was, even in our own system. I'm not even sure what the rules are today, but I certainly see students smoking outside schools as I drive by, and it is regrettable because I just don't think they have given much consideration to the risks they're taking. I suppose young people think that they're invincible and that none of this bad stuff can happen to them.

It's not a sure science. My mother died of lung cancer at the age of 50 and never smoked a cigarette in her entire life. I'm not sure that second-hand smoke was a huge contributor because my father, like myself, was a member of this Legislature and was away an awful lot, so I'm not sure she was around it enough, and they both had busy lives even when they were both at home, that that was the biggest reason. However, that was, in fact, what caused her death. She lived in rural Ontario, of course, so there was no industrial pollution that would have led to that.

Suffice to say, the statistics are strong enough. I don't think there's anybody out there who's going to have an argument with the fact that smoking is bad for you and it's unhealthy, but then we see that the government says that this is their motivation for bringing in this bill. I guess the flip side of it could say, "Well, why don't you just simply ban smoking? Just make it against the law, period." That's one possibility. I'm sure that would create a lot of significant consternation as well.

I remember the finance minister making a comment that he would gladly forgo the \$1 billion-plus in revenue that the government derives from the tobacco tax to see the end of smoking. I say to the finance minister: It's easy to make statements like that when you know you're not going to be forced to back them up. I think this government is as addicted to taxation as many people are

addicted to tobacco in this province, so it's easy for the minister to spout those words, which he often does. He's prone to do that: spout words that he doesn't really give a lot of regard to.

I am really wanting to support this bill, but because of the things it doesn't do, I have a real problem with that. But I will say that municipalities in my riding have said to me prior to my election and since my election that they were looking forward to province-wide legislation that dealt with smoking because it is certainly preferable, they felt—and I don't disagree with them—to the piecemeal effect of having one municipality having a bylaw that maybe isn't quite the same as other municipalities and also a municipality having a bylaw when another municipality has no bylaw at all, and the various effects that that might have. So consistency is probably a positive thing, to have that happen.

Last week—not this past week—at the end of the previous week I was doing my nurse-for-a-day bit the week after Nursing Week because I couldn't participate during the week of Nursing Week. I met with a bunch of public health nurses, and they were asking me when this new bill is going to be passed. I couldn't tell them that because, at that time, the bill had left the radar screen, and then during constituency week it came back up, so now we're having the opportunity to debate this. I told them what my problems with the bill were and they didn't seem to have any problems with that, even though they are adamantly opposed to smoking, as every public health nurse should be, and anybody who is in the medical field. You would want them to be opposed to smoking.

One of the things I have problems with are the way that Legions have been treated in this bill. We did talk about the contributions that veterans have made to our freedom, to democracy and to the rights that we have today just to be able to get up and debate this legislation, among other bills. I began to speak about it in one of my two-minute responses, about speaking with a lady last week who was so concerned about the Legion in her town that she called to ask, "Is there any kind of program that you people have to assist us at the Legion? Because we are in dire straits." I have, if my memory serves me correctly, eight branches of the Royal Canadian Legion in my riding, and I can assure you that every one of them is not enjoying prosperous times in this day and age, partially because, as the member from Beaches—East York spoke to, the age of the membership of the Legion is advancing. Obviously, at that age, they're losing members because of death. It's a competitive world out there as well. Many of these Legions have halls that they rent out for various private occasions, weddings etc., but there's a lot of competition for that kind of business out there as well. So they're having difficulty with their revenues.

There's no question that most people would prefer to go to an event at which there wasn't smoking. I know I would. I know that when my wife and I go out—and we go to a number of events, as you would well imagine;



every other member would be doing the same thing—it's actually quite surprising when we go someplace today and it's a smoking event. It is quite surprising and, quite frankly, it's not very comfortable. There are very few out there, but we have been at a few that have been smoking events and, quite frankly, we'd prefer that they weren't smoking events, because they're not nearly as enjoyable. You don't want to spend as much time there. Your eyes get sore, you get stuffed up, and when you leave there, you stink like hell.

There's no question that there are many, many reasons to have smoking eliminated. The government is moving in the right direction, but they've failed to recognize some of the problems they're creating. The Legions are one of the big ones. The member from Beaches-East York said that if they gave that two-year extension to the Legions, that would provide them with some ability to adjust. Some Legions, quite frankly, would choose to go smoke-free. Let them do that, and more power to them. Congratulations to those Legions whose members decide that they want to be smoke-free. God bless them, because I think that's the direction we should be going, but not under the plan that this government wants to force on us at this time.

We talked about compensation for farmers. The government did bring in—

*Interjection.*

**Mr. Yakabuski:** How much was that, Lou?

**Mr. Lou Rinaldi (Northumberland):** It was \$15 million.

**Mr. Yakabuski:** It was \$35 million, Lou.

**Mr. Rinaldi:** It was \$15 million, John.

**Mr. Yakabuski:** Fifteen million went to municipalities, Lou; it didn't go to the farmers, and it was only after tremendous pressure being exerted on the Minister of Agriculture by our critic, the member for Oxford, and other members of our caucus and farmers out there who visited Queen's Park in great numbers, saying that this government was doing nothing for farmers. They repeated that refrain over and over and over again until I'm sure the government asked themselves, "Man, are we going to just keep hearing this every day? We've got to do something." The farmers said, "We're almost two years into the mandate. What about your election promise?"—\$50 million to assist farmers to move out of tobacco and into some other form of agriculture. Finally, under a great deal of pressure—and I'm getting pressure from the minister now; he's pointing his finger at me—they came through with \$35 million for farmers. So it is a step in the right direction. But in general the support for farmers across this province has been very, very poor.

1730

Designated smoking rooms in restaurants: Here's a tough one. Many municipalities brought in anti-smoking legislation or controlled smoking legislation, and, as part of that municipal bylaw, they said, "You can have smoking in your establishment, but you must erect a designated smoking room." Many businesses said, "OK, we're going to do that." Some of them invested in excess of

\$100,000 to do that. I ask the members opposite, if a government said to you, "This is the law. Now, if you want to participate in it, this is what you've got to do"—so you go ahead and you make that huge investment, and then a short time down the road, a government that usurps the authority of the lower tier says, "You know what? We're just going to plow over that municipal bylaw, and those designated smoking rooms are going to be banned." "Oh, but what about my \$100,000-plus investment?" "You know what, buddy? Sorry. Eat it. You're getting nothing from us."

**Mr. Ted Chudleigh (Halton):** How many beers do you have to sell?

**Mr. Yakabuski:** You do have to sell a lot of beer to make up \$100,000. They haven't made enough off me yet, obviously.

The question is, is the good of banning them greater for the general population? It probably is. But in a fair-minded society, a lot of people are asking the question: How can you do that without some form of compensation to these operators who did it within the guidelines they had in front of them at that time? So, that's definitely a huge problem.

If you're not going to compensate them—and I know the government is saying it has no money—then you have to grant them some sort of extension or exemption as well, at least so they have the opportunity to recoup that. Because, yes, if there's no smoking, it doesn't mean that people can't come into their restaurant, and it doesn't mean that people can't go into what used to be the designated smoking area, but a smoker is not going to be able to go in there and have a cigarette. That was one of the revenue streams that they were relying on in order to cover the cost of putting in that renovation. So that's something that I think the government has been wrong about. They haven't addressed that with regard to the effect on restaurateurs in the province of Ontario.

Some of the concerns they have—and I'm not sure I entirely agree with them, but there definitely will be some economic effects, at least in the short term. I have talked to people who are talking about getting into the restaurant business and I've said, if you're getting into the restaurant business, make sure your place is smoke-free from day one so you won't have to go through that adjustment period, as opposed to if you allow smoking in your establishment and then it gets banned and you're faced with the adjustment. If you have smoking, you tend to cater to the smoking clientele and then you're the one who has to make the adjustment afterwards, whereas if you don't allow smoking in your establishment from the day you open up, you're probably in a far better position.

We have heard from a number of people in the restaurant business who are very concerned that they will not survive because, let's face it, as the member for Beaches-East York said, restaurants are a difficult business at the best of times, and a high percentage of them fail within the first year. Even if you're an established restaurant and your revenue stream is cut significantly for a short period of time, it's not like they're sitting on

barrels of money and can say, "If our business drops by 40%, 50%, 60% for the next six months, we can weather the storm." Quite frankly, they can't; they can't weather that storm for six months. Most people couldn't weather the storm if their incomes were cut by 60% with no other compensating factors over a six-month period. I'm not sure what the average is, but I think there were some statistics about how long the average family could actually survive if they had no income, and the six-month period sounds pretty close to being around the right amount.

We're expecting restaurants to bounce back. If they survive that period of time, they will bounce back, because eventually things will start to level out with regard to who is going where, etc., and your restaurant will be successful based on the products that it serves, not the fact that it does or does not allow smoking within its confines.

I just want to give a few quotations. "Thirsty's Roadhouse on Exmouth Street"—I don't know where Exmouth Street is; I don't think it's in Ontario because it's someplace obviously where bylaws have been enacted already—"is possibly the bylaw's first casualty, with owner Terri Kavanaugh announcing she has it listed on the market for \$129,000. Sales dropped 20% in September and 25% in October compared to the same months last year." Those are significant drops.

"Bar and hotel operators in Winnipeg and Brandon have seen their revenues drop by as much as 20% since smoking was outlawed indoors."

Let's see here. "Lisa Kwan, owner of the Rainbow Cafe on High Street, said her business is down 40%...."

"Bar owner Patsy Richard of Bas-Caraquet" New Brunswick "says her profits have dropped by 40%...."

So we have to accept these people at their word that those are the true effects on their business. We cannot ignore the fact that this law will have that kind of effect on some businesses.

In balance—I'm running out of time—I would really like to support this bill, but given the fact that it doesn't address the compensation factor, that extension factor, for those who have made those significant investments, and the fact that it does nothing for Royal Canadian Legions in this province, I'm reluctant to do so.

**The Acting Speaker:** Questions and comments? Seeing none, I'll move on to further debate.

**Ms. Martel:** It's a pleasure for me to participate in the debate. My intention would be to debate until 6 o'clock. So I would conclude my remarks by 6.

My colleague Mr. Prue has already addressed the issue about compensation. I addressed it fairly significantly on the debate on second reading so I don't want to touch on that again. I expressed also on second reading my concerns about the lack of adequate support for the farm community and agricultural workers; I did that during the course of the hearings as well, so I think that those points have been raised adequately.

What I want to do is focus on my ongoing concern that the government did not use this bill as an opportunity

to do what they promised during the election campaign. The Liberal election document says very specifically, and let me quote, under the section "Tougher controls": "We will ban countertop and behind-the-counter retail displays of tobacco products." It's the section about "behind-the-counter retail displays of tobacco products" that causes me the most grief and the most concern with respect to the bill we are debating here today. At the time that the bill was introduced, the minister was asked about the election promise, and was asked very clearly why Bill 164 did not include anything about banning behind-the-counter retail displays, which we have come to call power walls, although other people have other definitions for them.

**1740**

The minister, at the time the bill was introduced, said that the government was waiting for the outcome of an appeal in Saskatchewan. Saskatchewan had banned behind-the-counter displays, and that ruling was under appeal. Big tobacco, of course, challenged that. At the time this bill was introduced, we had no ruling. He said very clearly that that issue was essentially up in the air because we didn't know what the outcome was going to be. Well, the outcome in Saskatchewan was very clear: The court upheld the government's right to ban behind-the-counter displays of tobacco products.

Then the minister was asked what was going to happen with this particular bill. He said that he would wait for the outcome of the public hearings, hear what people had to say with respect to the power walls and behind-the-counter retail displays and make a decision from there. I can tell you that through the course of the public hearings we heard overwhelming evidence of the need to ban both countertop displays and behind-the-counter retail displays of tobacco products. I want to read some of them into the record right now. I've just focused on some of the youth presentations, because to a person the youth groups who came before us and spoke on this bill referenced power walls and the need to get rid of them as soon as possible so that they would not serve as an enticement for young people to start smoking.

This is a presentation by Tanya Wagner, who represented the Whitby Youth Council:

"Our goal is to promote opportunities for youth in the town of Whitby. Our interests extend to advocating for healthy environments for youth to grow up in. This is why we would like to talk about tobacco displays in stores and why they should be banned to protect youth...."

"Before preparing this presentation, I thought that about 40% of teenagers smoked and about 75% of adults smoked. I was shocked to learn that only 21% of teens smoke and only 25% of adults smoke. I found out in preparing this presentation that the more we see cigarettes, the more we think it is normal. Obviously, I was fooled into thinking more people smoke than is the case, and we at Whitby Youth Council don't want more youth to be fooled as well, because we know that the more teens think smoking is normal, the more teens will smoke. Making public places and workplaces smoke-free



and banning tobacco advertising will help achieve this goal....

"Tobacco advertising and promotion increase smoking and the number of youth who start smoking. A ban on such advertising and promotion would decrease smoking among adults and youth. That would be a very good thing.

She says at the bottom, "But recently I was thinking about why I smoked in the first place," because she quit. She was 14 when she started and quit at 16. "I smoked du Maurier and sometimes Players. And I noticed the other day that those two brands were the most noticeable behind the counter of my local store. I think that I am living proof that tobacco advertising affects teens. This is why I wanted to talk to you about it today, and ask that you ban retail displays of cigarettes, including power walls."

This is a presentation by Wide Awake: Generation Against Tobacco. It was given by Brian Dallaway. It's comprised of the Youth Centre in Ajax, the Oshawa Community Health Centre, the YWCA in Oshawa, the Durham region health department and Brock Youth Centre. It says very clearly:

"While we applaud the proposed legislation for reducing advertising in retail stores, the language of the act does not prohibit power walls. We would like to see the province capitalize on this opportunity to eliminate this form of advertising which is targeted at children and youth."

He says further on, "We ... don't believe it is morally permissible to market to kids in retail stores using power walls.... It is important that regulations be set in legislation rather than industry self-imposed restrictions." He says at the end again, "Ban power walls."

Then we had a presentation by Olivia Puckrin and Caylie Gilmore, students from Port Perry High School, who said the following: "Today we would like you to consider the last poster, and the line about how the tobacco industry comes up with marketing campaigns to addict youth." They had a number of posters that they brought to the public forum. "You probably know that tobacco companies aren't allowed to advertise their products. But, still, nearly every kid I know can name about five different brands of cigarettes. How is that?"

"Well, it is no mystery. Every time we go into a store, cigarettes are there. Cigarettes are displayed on the counter, behind the counter and even in the counter. We recently learned that the tobacco industry pays stores \$88 million a year to do it. This advertising not only tempts adults to smoke, but it makes cigarettes look like a normal product. But no other product will kill you if you use it as the manufacturer intends. So how can this be normal?"

"Society has tolerated tobacco for far too long. We are starting to realize how dangerous it is, and putting limits on it, like when Durham region went smoke-free in 2004, and we look forward to seeing the province go smoke-free with this new act. It is about time that teenagers can work a part-time job and not be exposed to second-hand

smoke. But if the province allows cigarettes to be advertised in stores with countertop and power wall displays, well now, that would be stupid."

That was a play on the stupid.ca advertising, which they had referenced earlier.

I could go on and on, because in all of the youth presentations there were references to behind-the-counter advertising, and in all of the presentations that were made by health care consumers generally—the Lung Association, the Heart and Stroke Foundation, Cancer Care Ontario, the Cancer Society—and in all of the presentations from public health units. In many of the presentations that we heard just from individuals—a woman who was a smoker in a bar and who got sick—again and again, we heard that behind-the-wall advertising is the last refuge now for big tobacco. Essentially, they have been banned from all other advertising and through the bill will be banned from on-the-countertop advertising. But unless and until we move to ban behind-the-counter displays, we will continue to have cigarettes in the face of young people. That will continue to be an allure and an attraction for them. It will continue to have them try it out just to see what it's all about and get hooked. We heard that again and again from the young people who came to the presentations, who said very clearly, "Get this out of our face. It is the only way that we will not be tempted to start smoking. It will be the only way that we don't smoke and so will not be part of those statistics 20 to 25 years from now about people who are dying of lung cancer and all other forms of cancer from smoking."

This is the reason why—because of the Liberal election promise and because we heard it so much during the public hearings, especially from young people—that I moved an amendment to the bill which would have banned both countertop displays and behind-the-wall displays. Frankly, I was very discouraged, and I remain very discouraged, that the Liberal members on the committee voted against that and instead brought in an amendment that will ban behind-the-counter retail displays, but not until 2008. I have to tell you, I don't think that we can wait until 2008 to ban that form of advertising. I think that we completely undermined the purported goal of this bill, which I thought was to stop young people from smoking in the first place, by continuing to allow big tobacco to advertise behind the counter with power wall displays.

During the course of the clause-by-clause, Mr. McNeely brought in an amendment that would ban this by 2008. The government amendment says, "No person shall display or permit the display of cigarettes in any place where cigarettes are sold or offered for sale unless the cigarettes are displayed in the following manner:

"1. Only individual cigarette packages are displayed."

That, of course, can continue until 2008.

What followed from that was quite an interesting discussion between myself and the parliamentary assistant and some of the legal staff, to say, "Well, what does that mean?" Does it mean we're going to restrict where individual packages are displayed in the retail store? No, it does not. Does it mean that we are going to be able to

restrict many packages appearing together in the same place to give the intent or to give the impression of advertising? No, it does not. As a matter of fact, it does mean that some of the businesses who came before us and said that right now they regularly advertise 250 packs of cigarettes behind the cash register can still continue to do that—no restriction whatsoever. So all of that advertising in the face of young people can continue.

The government tried to say during the clause-by-clause, “We’re getting rid of the bells and the whistles. We’re getting rid of the lighting and we’re getting rid of some of those extras that would really attract the attention of young people.” I have to tell you, with 250 packs of cigarettes behind the counter, you don’t need any lights, you don’t need any bells and whistles. You have all the advertising in the world that you want right there to attract young people to starting to smoke or to attract a smoker who has tried to quit to pick it up again when he or she is doing impulse buying in the grocery store. That’s all you need.

1750

It’s no wonder that the Ontario Convenience Stores Association was happy with the government amendment to not do anything about this important matter till 2008, and to allow for the continued promotion of individual cigarette packages anywhere in the store to whatever number in the store. I noted when I was speaking on this in committee that the Ontario Convenience Stores Association said very clearly, and this was a quote from Dave Bryans, who represented them, “We have no problem with taking down any of the lights or colours.” I guess not, because that’s the least of the problem. The big problem is seeing all those packages of cigarettes behind the counter and thinking that smoking is normal, and thinking, just because of the sheer volume of cigarettes in that retail outlet, that so many adults and so many young people smoke.

The government has just missed a major and important opportunity to do the right thing in allowing individual promotion behind the counter of individual packages of cigarettes and to allow that to happen until 2008.

There is no doubt that a number of convenience store owners who came before us said that if the government banned over-the-counter and behind-the-counter retail displays, that was going to cause them significant financial hardship, because of course they get money from big tobacco to do that. They got \$88 million from big tobacco in 2003 to advertise cigarettes in retail stores in Ontario. That is why during the course of the hearings, during debate and in a question in this Legislature, New Democrats said the government could do a couple of things to alleviate the financial hardship of some of those retailers, while at the same time getting advertising out of the retail stores as soon as we can, that being May 2006.

We suggested, for example, that the government look at the commission that now goes to retailers who sell lottery tickets and look at substantially increasing the commission that is paid by the lottery corporation to retailers that have lottery tickets in the stores now. That’s one idea.

Second, we felt very strongly, because this has been the case in Saskatchewan, that there would be a number of sales representatives from other products that are in retail stores who would be more than happy to get access to that retail space that’s now being taken up by big tobacco, and that if behind-the-counter retail displays were banned, you would see a number of producers of other products that are sold in retail stores come forward and want that space and be prepared to pay for that advertising space. We suggested that as well.

The third thing I suggested had to do with the government itself spending some of the money it has just brought in on the tobacco tax to pay for promotion in retail stores—promotion with respect to healthy living for young people, eating nutritional food and getting exercise. We have a huge problem in this province with respect to so many youth who are overweight, who are not getting enough exercise and eating improper food. We suggested to the government, “You’ve got kids going into convenience stores every day, buying stuff that’s not so good for them. Why don’t you use some of the tax money you brought in and pay retailers so that you can have government advertising on the walls that promotes healthy living?”

Do you know that the government brought in \$222 million in the last two tax increases alone, not just the recent one that came into effect in January but the last two tax increases that came into effect under this government—more than enough money to replace the money that big tobacco is now providing to retailers in order to advertise tobacco products.

The parliamentary assistant said that the government was going to take that into account, but that they were still going to hold firm on not banning behind-the-counter displays of tobacco until 2008. I regret that. I have to tell you that the government has lost a tremendous opportunity by not acting on this now.

One of the presentations that we heard—I think it was included in Michael Perley’s presentation—talked about a study that had been done in California. Two thousand students regularly enter convenience stores. They were surveyed in terms of what happens when they go into convenience stores, and they were going in on a regular basis, two and three times a week. We heard from that study that over 50% of those young people started to smoke. What got them smoking? It was all about advertising by big tobacco on the counter and behind the counter. Over 50% of those young people started to smoke in I believe grades 9 and 10. That’s a lot of young people getting addicted; that’s a lot of future cancer victims. I don’t know why we wouldn’t take into account everything we heard with respect to the studies that have been done and everything we heard from the young people during the course of those hearings to amend the bill now to say that not only will we ban tobacco products on the counter, but we’re going to do the right thing, deal with the whole issue and ban the advertising that appears on walls or on the counter or behind the cash register. I regret very much that the best that could be done was for the government to put in place an amend-



ment that says that in 2008 that will happen, when the government, frankly, should have supported my amendment that said that in 2006 we will ban all of this advertising in these stores.

I, and I'm assuming a number of other members, received information after the end of the hearings from ALPHa, representing the public health units. I got one from my own, and David Groulx, who is a registered nurse, made it very clear that the Liberal government should revisit the language they used in the bill regarding the display of tobacco products and materials promoting tobacco products and eliminate the display of tobacco products in retail outlets without qualification. David said very clearly:

"Research shows that about 60% of tobacco purchases are impulse purchases, and prominent retail displays behind the cash register significantly encourage such purchases. Add to this the fact that the height and placement of these displays have been carefully calculated to ensure maximum impact on the purchaser. These behind-the-counter retail displays, also referred to as 'power walls,' add to the normalization of tobacco within our society and encourage former smokers to relapse and start smoking again.

"Tobacco industry advertising and promotion must stop now. Power walls increase tobacco sales and therefore contribute to the considerable morbidity and mortality related to tobacco use."

Finally, in the last paragraph, "This is an opportune time for the Ontario provincial government to take a lead

role in reducing tobacco consumption by banning point-of-sale displays, including power walls. Such legislation would also protect our children from the tobacco industry's last channel of advertising."

Because I recognize that it is the end of the day and other people will be sitting tonight as well, I just wanted to close by saying that I indicated during the course of the public hearings that I would be supporting this bill. I think it follows from progressive legislation that we put in place in 1994 when Ruth Grier was the minister. Frankly, it is legislation that has caught up with a number of municipalities like my own that have already in the last two or three years banned smoking in workplaces and public places etc.

As I conclude, I regret very much that the government did not do what the government promised in the last election, which was to ban countertop and behind-the-counter retail displays of tobacco products. It's all well and good that we will ban the countertop displays in 2006, but it is two years too long to wait to ban retail displays of tobacco behind the counter. That just means thousands and thousands more young people are going to start smoking, they will become addicted and they will be our cancer statistics 20 years from now.

**The Acting Speaker:** It being very close to 6 of the clock, this House stands adjourned until later on this evening at 6:45 p.m.

*The House adjourned at 1758.*

*Evening meeting reported in volume B.*

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: John O'Toole  
Wayne Arthurs, Caroline Di Cocco, Andrea Horwath,  
Cameron Jackson, Kuldip Kular, Phil McNeely  
John Milloy, John O'Toole, Jim Wilson  
Clerk / Greffier: Trevor Day

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Toby Barrett, Mike Colle, Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell, John O'Toole,  
Michael Prue, John Wilkinson  
Clerk / Greffier: Trevor Day

**General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Vic Dhillon  
Marilyn Churley, Vic Dhillon, Brad Duguid,  
Linda Jeffrey, Jean-Marc Lalonde,  
Deborah Matthews, Jerry J. Ouellette,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Tonia Grannum

**Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Présidente: Andrea Horwath  
Lorenzo Berardinetti, Michael Gravelle,  
Andrea Horwath, Tim Hudak,  
David Oraziatti, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona  
Clerk / Greffière: Susan Sourial

**Justice Policy / Justice**

Chair / Président: Shafiq Qadri  
Vice-Chair / Vice-Président: Bob Delaney  
Michael A. Brown, Jim Brownell, Bob Delaney,  
Kevin Daniel Flynn, Frank Klees, Peter Kormos,  
Shafiq Qadri, Mario G. Racco, Elizabeth Witmer  
Clerk / Greffier: Katch Koch

**Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Donna H. Cansfield, Bob Delaney,  
Ernie Hardeman, Rosario Marchese, Ted McMeekin,  
Norm Miller, Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffier: Douglas Arnott

**Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Laurel C. Broten, Jim Flaherty, Shelley Martel,  
Bill Mauro, Julia Munro, Richard Patten,  
Liz Sandals, Norman W. Sterling, David Zimmer  
Clerk / Greffière: Susan Sourial

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Marilyn Churley  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Marilyn Churley, Kim Craitor,  
Kuldip Kular, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Maria Van Bommel, Tony C. Wong  
Clerk / Greffière: Tonia Grannum

**Social Policy / Politique sociale**

Chair / Président: Mario G. Racco  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Arnott, Ted Chudleigh, Kim Craitor,  
Peter Fonseca, Jeff Leal, Rosario Marchese,  
Mario G. Racco, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes



## TABLE DES MATIÈRES

Lundi 30 mai 2005

### PREMIÈRE LECTURE

<b>Loi de 2005 modifiant la Loi sur les services aux personnes ayant une déficience intellectuelle, projet de loi 205, <i>M. Dunlop</i></b>	
Adoptée.....	7224

### DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

<b>Taille des classes scolaires</b>	
M. Kennedy.....	7226
M <sup>me</sup> Scott.....	7227
M. Marchese.....	7228

### TROISIÈME LECTURE

<b>Loi de 2005 sur le classement des films, projet de loi 158, <i>M. Watson</i></b>	
Adoptée.....	7229
<b>Loi de 2005 modifiant des lois en ce qui a trait à la régle- mentation de l'usage du tabac, projet de loi 164, <i>M. Smitherman</i></b>	
Débat présumé ajourné.....	7259

# CONTENTS

Monday 30 May 2005

## MEMBERS' STATEMENTS

<b>Volunteers</b>	
Mr. Miller .....	7221
<b>London Knights</b>	
Ms. Matthews .....	7221
<b>Ride for Dad</b>	
Mr. Dunlop .....	7221
<b>Federation of Metro Tenants' Associations</b>	
Mr. Prue .....	7222
<b>Students in Thornhill</b>	
Mr. Racco .....	7222
<b>Rural Ontario</b>	
Mr. Runciman .....	7222
<b>Post-secondary education</b>	
Mr. Sergio .....	7223
<b>Research and development</b>	
Mr. McNeely .....	7223
<b>Certified management accountants</b>	
Mr. Lalonde .....	7223

## FIRST READINGS

<b>Developmental Services Amendment Act, 2005, Bill 205, Mr. Dunlop</b>	
Agreed to .....	7224
Mr. Dunlop .....	7224
<b>Acton Disposal Services Limited Act, 2005, Bill Pr9, Mr. Racco</b>	
Agreed to .....	7224
<b>Toronto Atmospheric Fund Act, 2005, Bill Pr15, Mr. Duguid</b>	
Agreed to .....	7224

## MOTIONS

<b>Committee sittings</b>	
Mr. Bentley .....	7224
Agreed to .....	7224
<b>House sittings</b>	
Mr. Bentley .....	7224
Agreed to .....	7225

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Health care</b>	
Mr. Smitherman .....	7225
Mr. Baird .....	7227
Ms. Martel .....	7228
<b>Class size</b>	
Mr. Kennedy .....	7226
Ms. Scott .....	7227
Mr. Marchese .....	7228

## ORAL QUESTIONS

<b>Health care</b>	
Mr. Tory .....	7229, 7230
Mr. Smitherman .....	7229, 7230, 7237
Mr. Parsons .....	7237
<b>Services for disabled children</b>	
Mr. Hampton .....	7231, 7232
Mrs. Bountrogianni .....	7231, 7232
	7233, 7235, 7237, 7239
Mr. McGuinty .....	7232
Ms. Martel .....	7233, 7238
Mr. Kormos .....	7235
Ms. Horwath .....	7237
<b>Hydro</b>	
Mr. O'Toole .....	7233
Mr. Duncan .....	7233
<b>Class size</b>	
Mr. Brownell .....	7234
Mr. Kennedy .....	7234
<b>Infrastructure program funding</b>	
Mr. Flaherty .....	7234
Mr. McGuinty .....	7234
<b>Agri-food industry</b>	
Mr. McNeely .....	7235
Mr. Peters .....	7236
<b>Adoption disclosure</b>	
Mr. Sterling .....	7236
Mr. McGuinty .....	7236
Ms. Pupatello .....	7237
<b>Ambulance services</b>	
Mr. Miller .....	7238
Mr. Gerretsen .....	7238
<b>Ontario economy</b>	
Mr. Levac .....	7239
Mr. Watson .....	7239

## PETITIONS

<b>Anti-smoking legislation</b>	
Mr. Ouellette .....	7239
<b>School facilities</b>	
Mr. O'Toole .....	7239
<b>Municipal audit</b>	
Mr. Hoy .....	7240
<b>Regional centres for the developmentally disabled</b>	
Mr. Dunlop .....	7240, 7241, 7242
Mr. Brown .....	7241
<b>Fabry disease</b>	
Ms. Di Cocco .....	7240
<b>Halton Recycling plant</b>	
Mrs. Munro .....	7240
<b>Health care services</b>	
Mr. Ouellette .....	7241

## Credit Valley Hospital

Mr. Kular .....	7241
<b>Gasoline prices</b>	
Mr. Ouellette .....	7242
<b>Justice system</b>	
Mr. Ouellette .....	7242

## THIRD READINGS

<b>Film Classification Act, 2005, Bill 158, Mr. Watson</b>	
Agreed to .....	7229
<b>Tobacco Control Statute Law Amendment Act, 2005, Bill 164, Mr. Smitherman</b>	
Mr. Fonseca .....	7243, 7245
Mr. Dunlop .....	7244, 7245, 7249
Mr. Prue .....	7244, 7248, 7249, 7253
Mr. McNeely .....	7244
Mrs. Munro .....	7244
Ms. Di Cocco .....	7248
Mr. Yakabuski .....	7248, 7252, 7253
Mr. Colle .....	7249, 7253
Mr. Lalonde .....	7252
Ms. Martel .....	7252, 7256
Debate deemed adjourned .....	7259

## OTHER BUSINESS

<b>Special report, Ombudsman</b>	
The Speaker .....	7223
<b>Visitors</b>	
The Speaker .....	7224
Mr. Watson .....	7224

Continued overleaf





No. 150B

N° 150B

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 30 May 2005**

**Lundi 30 mai 2005**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

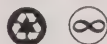
Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

---

Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario



# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 30 May 2005

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 30 mai 2005

*The House met at 1845.*

## ORDERS OF THE DAY

### MANDATORY GUNSHOT WOUNDS REPORTING ACT, 2005

### LOI DE 2005 SUR LA DÉCLARATION OBLIGATOIRE DES BLESSURES PAR BALLE

Mr. Kwinter moved third reading of the following bill:

Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds / Projet de loi 110, Loi exigeant la divulgation à la police de renseignements en ce qui concerne les personnes traitées pour blessure par balle.

**The Acting Speaker (Mr. Michael Prue):** Minister, you have the floor.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I'm pleased to rise on third reading of the Mandatory Gunshot Wounds Reporting Act, 2005. This legislation is an important part of the McGuinty government's ongoing commitment to deliver real, positive changes that are making Ontario communities safer.

Guns pose a unique threat to the safety of our communities. Until now, there has been no province-wide mechanism governing how and when health care facilities and professionals report gunshot wounds to police. Until now, policies for reporting gunshot wounds have varied from facility to facility and even among medical staff in the same facility. Police need to know when a gun has caused an injury, and health care professionals need a clear, straightforward requirement for reporting such injuries. This legislation provides just that requirement.

The legislation, if passed, would make it mandatory for public hospitals and prescribed health care facilities to report to police when they treat any person suffering from a gunshot wound. The reporting mechanism is unambiguous, simple and straightforward. The facility must notify the police as soon as is reasonable without interfering with the treatment of the patient or the normal operation of the facility. The report would be made orally and would require only the name of the patient, if known, and the location of the facility to be passed to police.

This legislation, if passed, would minimize the legal and ethical ambiguity that currently faces medical staff presented with a patient suffering from a gunshot wound. However, the legislation would not interfere with current reporting requirements such as in the case of suspected child abuse, contagious diseases, violent deaths or medical conditions related to unsafe driving. Nor would the legislation infringe on patient confidentiality by requiring the disclosure of a patient's previous medical history.

This legislation has received broad support from members on both sides of this House at second reading and in committee. The legislation has also attracted broad support from the policing community. For example, the Ontario Association of Chiefs of Police and the Toronto Police Service have asked for this legislation. The Ontario Association of Police Services Boards passed a resolution in favour of it. In the medical community, the Ontario Medical Association accepted mandatory reporting of gunshot wounds as official policy in May 2004.

The citizens of Ontario deserve to live in safe, strong communities. By passing this legislation, we can help make sure that they do.

**The Acting Speaker:** Questions and comments? Seeing none, further debate?

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to rise this evening on the third reading of Bill 110. I know it's going to be a short debate tonight, as we agreed in the House leaders' meeting.

First of all, I want to commend the minister for bringing forth this bill. It's not exactly the bill I'd like to see; however, as the minister said in his speech a few moments ago, it is a bill that was supported and was called for by groups like the Ontario Association of Chiefs of Police. Right after I took over the position of critic in the fall of 2003, I got a binder from the OACP, and it was right in there as a key priority in their mind. A bill similar to this one has been adopted, I believe, in 45 of the United States, and my understanding from the American models is that it has been fairly successful.

**1850**

I would have liked to have seen the bill include knife wounds. I tried to make a few amendments. I won't go into all the amendments right now, but I thought the resolution put forward in the House by former Solicitor General Bob Runciman made some sense, and I think we could have adopted maybe some of those recommendations or amendments.

However, as we move forward, I think this bill is positive, and it will be something the police community

can support. As the minister said, we've had some support from the medical community as well. These are all important issues for the government, for this House and for the province to move forward on.

While we're talking about police tonight, I wanted to acknowledge the fact that I made a statement earlier in the House this afternoon and talked a little bit about the Ride for Dad motorcycle ride that took place this past weekend out of the Ontario Provincial Police general headquarters in Orillia. I believe that over 500 people on high-powered motorcycles toured all across north Simcoe and raised substantial amounts of money for prostate awareness and for the Royal Victoria Hospital in Barrie for the Cancer Care Ontario unit that they hope to get in the future. I just wanted to say a special thank you in the House tonight to Deputy Commissioner John Carson and Chief Superintendent Dave Wall, because they led the parade and it was a huge success.

The police community should be thanked, not only for the work they do in keeping our communities safe, but for the fact that they get out there day in and day out and work with all kinds of community organizations to help bring awareness to special programs. While they're out there, they're also showing that they care about the community, and I think a lot of folks in the community see that.

That's really all I wanted to say tonight. Our caucus will be supporting this bill, and I commend the minister for bringing it forward. I thank the members of this House for the opportunity to say a few words tonight on third reading.

**The Acting Speaker:** Questions and comments? Further debate?

**Mr. Peter Kormos (Niagara Centre):** I regret, in view of the fact that I have great affection for the sponsor of the bill, that I have to dismiss the bill as the most meaningless, pathetic three or four pages that I've seen in this Legislature in a good chunk of time.

If this is Dalton McGuinty's idea about protecting us against bad guys and about controlling guns on the streets, then we are all in deep, deep trouble. Take a look at the bill. Read the darn thing. There is so very little here. Requirement to report gunshot wounds? Horse feathers. You see, if there is a requirement, then there is a consequence for not complying with that requirement. It's called a penalty section. If you go to page 1—no penalty section for failing to comply with the bill; page 2—no penalty section for failing to comply with the bill; page 3—no penalty section for failing to comply with the bill. Not a whole lot here, then, is there? Because nobody is required to report gunshot wounds—do you understand what I'm saying?—at least, not pursuant to this legislation.

This is a chimerical bill; it is but illusory. The government is building castles in the sky—imaginary ones, fantasy ones. They are conjuring these up in their very fertile imaginations. This bill does not create a requirement to report gunshot wounds—plain and simple.

During the course of brief committee hearings, I put to the legislative researcher—and I apologize to that person for having put that level of workload on them, but I wanted to know whether there was any example in Ontario—anybody, anywhere. I put to the parliamentary assistant, I put to any of the Liberal members who were awake in the committee, the question: Can you identify a single gunshot wound that the police failed to become aware of, ever, least of all as the result of a health personnel—doctor, nurse, hospital worker—failing to report it? No, not once. So not only is the bill useless, irrelevant, illusory, merely chimerical, but the bill purports to address a problem that doesn't exist because we also learned from doctors and nurses that their respective colleges permit them, and in fact require them, to report incidents where public safety is at risk.

What's going on here? Poor Mr. Bryant, the Attorney General, has been run ragged trying to get a bill regulating paralegals through this House, but he can't even get it here for first reading. Do you understand what I'm saying? That is, as everybody agrees, a very important and relevant issue. Poor Mr. Bryant. And I understand he's far junior to the Solicitor General, and the Solicitor General should be at the front of the line by virtue of his talent, his commitment to his job and his seniority.

But think about this for a minute. Here we are passing a bill that doesn't create any obligations on any health workers to report gunshot wounds, nor does it address any particular problem, because we weren't made aware of a single instance in the province of Ontario where a gunshot wound victim attended at a hospital and that gunshot wound was not in one way or another made available to the police as a factual thing.

But then we go one step further, because the problem is that the doctors are saying, "Oh no, I don't want to report gunshot wounds." Because you see, a doctor doesn't want to be cooling his or her heels for three or four days in a row as a witness sitting in that crummy, stinky courtroom out in Mimico. You know the one I'm talking about, don't you, Solicitor General? The one that should have been torn down years ago. They aren't peel back the wallpaper for fear they'll find mould like they did up in Newmarket. The doctor doesn't want to be cooling his or her heels for three or four days in the crummy, stinky hallways of that horrid Mimico courthouse as a witness called in by the prosecution or the defence. Let's assume it's a biker gang shooting, right? You don't want the big, beefy guys with big biceps and tattoos and piercings all over, gunning you down—not with a gun, but with their eyeballs—in the hallway. The doctors say that they don't want to report it: "Not me."

It flows downhill, right? So it tumbles down to the nurse and then to the poor lowly paid health professional support staff person, the OPSEU worker, the SEIU worker, the CUPE worker. The doctor doesn't want to report it, so they're the ones who are going to be ordered to report it. So they've got to spend three and four days at



a time in the stinky hallways of the crummy Mimico courthouse down there—well, it's in Mimico; at least I call it that. That just ages me, but it's in what used to be called Mimico.

The fact is, there isn't a problem in the first place. There's a problem about guns, oh yeah; you bet your boots there is. New Democrats have been very clear about the need, for instance, to beef up policing, to get cops out there on the street, those 1,000 new police officers; not 30-cent, 40-cent or even 50-cent cops, but 1,000 new, fully funded police officers so the communities across the province can actually afford to complement their police forces with these new police officers and do a heck of a lot more in getting these illegal guns off the street.

In fact, is it billions of dollars now on the gun registry in Ottawa? Billions—not millions with an “m,” but billions with a “b”—of dollars of taxpayer money spent on a crummy gun registry that common sense tells you is so grossly ineffective. You see, bad guys aren't about to go register their guns. Bank robbers don't register their guns, nor do they tend to rob banks with registered guns. Hit men for gangs don't register their guns. Drug dealers don't register their guns. Law-abiding citizens register their guns. By their very description, law-abiding citizens are disinclined to be out there robbing banks or shooting people down on our streets.

1900

We've got a problem. It's mostly young people shooting other young people, as everybody well knows, and it's especially handguns, not long-barrelled firearms. So the poor farmer down where I come from who's been using a .22-calibre rifle to shoot skunks and fox attacking his sheep or his chickens, this poor guy or gal has got to trudge down to the police station, pay the money—ba-boom, ba-boom—contribute to this billion-dollar gun registry, when all they're doing is shooting, literally, varmint. But the shooters on the streets of Toronto or in so much of Ontario, no, they're not going to go down to the police station and say, “Here, police officer, I'm a bad guy. I belong to a street gang and I intend to shoot some folks over the course of the next 10 days because I've got some rivals in the drug-trafficking business,” or whatever the reason is. “So by the way, can I register the gun, so if I do get caught for shooting somebody else, at least they don't charge me with possessing an unregistered firearm?” Please. If only a portion of those billions of dollars blown on that gun registry victimizing law-abiding citizens was spent on getting new cops on to the street, we'd be a lot further ahead.

So here is a bill that is, with great respect to its sponsor, a fraud on the people of Ontario. It purports to enhance public safety when it does nothing of the sort. It purports to create an obligation when it doesn't create

any obligation. It purports to give permission to health professionals like doctors and nurses to report a gunshot wound when in fact we learned that their disciplinary colleges already give them that permission.

There is something seriously wrong here in terms of priorities and perspective. New Democrats will not be party to a fraud. New Democrats will continue to insist on real, effective policing, so that folks are protected from the most dangerous people in our society. Bill 110 doesn't play a role in protecting the good folks of Ontario. We won't be supporting this legislation.

**The Acting Speaker:** Questions and comments? Further debate? Seeing no further debate, does the Minister of Community Safety and Correctional Services wish to respond?

**Hon. Mr. Kwinter:** I want to thank those people who have been supportive of this bill from its inception. Notwithstanding what the member from Welland-Thorold has to say, this is not a bill that I dreamt up. This is a bill that was requested by the medical profession, by the Ontario Association of Chiefs of Police, by the Ontario Association of Police Services Board and by the Ontario police service. They wanted this. They wanted it for a reason, and they are happy that this bill addresses those reasons. As a result, I'm delighted we are coming to the end of third reading. Again, I want to thank everyone who participated in the debate.

**The Acting Speaker:** Mr. Kwinter has moved third reading of Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the ayes have it.

There being five members or more standing, call in the members. There will be a 30-minute bell.

But maybe not. I have here a note to the Speaker of the Legislative Assembly dated May 30, 2005, that reads as follows:

“Pursuant to standing order 28(h), I request that the vote on the motion by Minister M. Kwinter for third reading vote on Bill 110, Mandatory Gunshot Wounds Reporting Act, 2005, be deferred until the time of deferred votes on May 31, 2005.” It's signed by Dave Levac, chief government whip.

That having been done, orders of the day?

**Hon. Steve Peters (Minister of Agriculture and Food):** I move adjournment of the House.

**The Acting Speaker:** We have a motion for adjournment of the House. All those in favour? Carried. This House is adjourned.

*The House adjourned at 1905.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton East /	Horwath, Andrea (ND)
Ancaster-Dundas-	McMeekin, Ted (L)	Hamilton-Est	
Flamborough-Aldershot		Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b>
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative		Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiles et de l'Immigration
Beaches-East York /	Prue, Michael (ND)		Marsales, Judy (L)
Beaches-York-Est		Hamilton West /	
Bramalea-Gore-Malton-	Kular, Kuldip (L)	Hamilton-Ouest	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b>
Springdale		Hastings-Frontenac-Lennox and Addington	Minister of the Environment / ministre de l'Environnement
Brampton Centre /	Jeffrey, Linda (L)		Mitchell, Carol (L)
Brampton-Centre		Huron-Bruce	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brampton West-Mississauga /	Dhillon, Vic (L)	Kenora-Rainy River	<b>Gerretsen, Hon. / L'hon. John (L)</b>
Brampton-Ouest-Mississauga			Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Brant	Levac, Dave (L)		Milloy, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)		Witmer, Elizabeth (PC)
Burlington	Jackson, Cameron (PC)	Kingston and the Islands /	Van Bommel, Maria (L)
Cambridge	Martiniuk, Gerry (PC)	Kingston et les îles	Sterling, Norman W. (PC)
Chatham-Kent Essex	Hoy, Pat (L)		Runciman, Robert W. (PC)
Davenport	Ruprecht, Tony (L)		Matthews, Deborah (L)
Don Valley East /	<b>Caplan, Hon. / L'hon. David (L)</b>		
Don Valley-Est	Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	Kitchener Centre /	
	Wynne, Kathleen O. (L)	Kitchener-Centre	
Don Valley West /		Kitchener-Waterloo	
Don Valley-Ouest		Lambton-Kent-Middlesex	
Dufferin-Peel-	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Lanark-Carleton	
Wellington-Grey	O'Toole, John (PC)	Leeds-Grenville	
Durham	Colle, Mike (L)	London North Centre /	
Eglinton-Lawrence		London-Centre-Nord	
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b>	London West /	<b>Bentley, Hon. / L'hon. Christopher (L)</b>
	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	London-Ouest	Minister of Labour / ministre du Travail
Erie-Lincoln	Hudak, Tim (PC)	London-Fanshawe	Ramal, Khalil (L)
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Markham	Wong, Tony C. (L)
	Cansfield, Donna H. (L)	Mississauga Centre /	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b>
		Mississauga-Centre	Minister of Transportation / ministre des Transports
			Fonseca, Peter (L)
		Mississauga East /	
		Mississauga-Est	
		Mississauga South /	Peterson, Tim (L)
		Mississauga-Sud	
		Mississauga West /	Delaney, Bob (L)
		Mississauga-Ouest	
		Nepean-Carleton	Baird, John R. (PC)
		Niagara Centre /	Kormos, Peter (ND)
		Niagara-Centre	
		Niagara Falls	Craiton, Kim (L)
		Nickel Belt	Martel, Shelley (ND)
		Nipissing	Smith, Monique M. (L)
		Northumberland	Rinaldi, Lou (L)
		Oak Ridges	Klees, Frank (PC)



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Oakville	Flynn, Kevin Daniel (L)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Oshawa	Ouellette, Jerry J. (PC)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Thornhill	Racco, Mario G. (L)
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton</b> (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Thunder Bay–Atikokan	Mauro, Bill (L)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim</b> (L) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Thunder Bay–Superior North / Thunder Bay–Superior- Nord	Gravelle, Michael (L)
Ottawa–Orléans	McNeely, Phil (L)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David</b> (L) Minister of Natural Resources / ministre des Richesses naturelles
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine</b> (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Timmins–James Bay / Timmins–Baie James	Bisson, Gilles (ND)
Oxford	Hardeman, Ernie (PC)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Parkdale–High Park	<b>Kennedy, Hon. / L'hon. Gerard</b> (L) Minister of Education / ministre de l'Éducation	Toronto–Danforth	Churley, Marilyn (ND)
Parry Sound–Muskoka	Miller, Norm (PC)	Trinity–Spadina	Marchese, Rosario (ND)
Perth–Middlesex	Wilkinson, John (L)	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg</b> (L) Minister of Finance / ministre des Finances
Peterborough	Leal, Jeff (L)	Waterloo–Wellington	<b>Arnott, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Whitby–Ajax	Flaherty, Jim (PC)
Prince Edward–Hastings	Parsons, Ernie (L)	Willowdale	Zimmer, David (L)
Renfrew–Nipissing–Pembroke	Yakubski, John (PC)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra</b> (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Samia–Lambton	Di Cocco, Caroline (L)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight</b> (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Sault Ste. Marie	Oraziotti, David (L)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York North / York-Nord	Munro, Julia (PC)
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry</b> (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement		
Scarborough–Rouge River	<b>Curling, Hon. / L'hon. Alvin</b> (L) Speaker / Président		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J.</b> (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St. Paul's	<b>Bryant, Hon. / L'hon. Michael</b> (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

## CONTENTS

Monday 30 May 2005

### THIRD READINGS

#### Mandatory Gunshot Wounds

Reporting Act, 2005, Bill 110,

*Mr. Kwinter*

Mr. Kwinter..... 7261, 7263

Mr. Dunlop..... 7261

Mr. Kormos..... 7262

Vote deferred..... 7263

## TABLE DES MATIÈRES

Lundi 30 mai 2005

### TROISIÈME LECTURE

#### Loi de 2005 sur la déclaration

obligatoire des blessures par balle,

projet de loi 110, *M. Kwinter*

Vote différé..... 7263





No. 151A

N° 151A

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

**Tuesday 31 May 2005**

**Mardi 31 mai 2005**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

---

Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario



# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 31 May 2005

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 31 mai 2005

*The House met at 1330.  
Prayers.*

## MEMBERS' STATEMENTS

### HIGHWAY 406

**Mr. Jim Wilson (Simcoe–Grey):** Amy Ball of the Thorold Chamber of Commerce has informed me that they have launched their Click for the 406 campaign to demand that the McGuinty government put their money where their mouth is and expand Highway 406. The chamber and the Niagara Economic Development Corp. have launched an on-line petition at [www.build406now.com](http://www.build406now.com) to encourage Niagara residents to raise their voices and demand that the Liberal government get to work on the 406.

This major transportation and trade corridor carries 27,000 vehicles per day and is the busiest two-lane highway in southern Ontario. It links St. Catharines, Thorold, Welland, Pelham and Port Colborne, and is badly needed for the safety of area residents and those travelling the highway. In fact, the accident and fatality rate doubles on the two-lane stretch of the 406 compared to the four-laned portion, and the McGuinty government promised to put this project in their 2005 capital plan.

There are 12 days left in the local campaign. I'm encouraging everyone in the Niagara region to go on-line at [www.build406now.com](http://www.build406now.com) and sign the petition and show your support for this vital transportation corridor.

This Liberal government has let the people of Niagara down again. I'm calling upon the government to stand up for Niagara, ease congestion, improve safety, promote economic development and, for Pete's sake, for once, keep a promise over there.

### BETTER SPEECH, LANGUAGE AND HEARING MONTH

**Ms. Laurel C. Broten (Etobicoke–Lakeshore):** Today I rise in support and recognition of Better Speech, Language and Hearing Month. Many residents and organizations across Ontario are devoted to and enthusiastic about raising awareness for those who suffer from communication disorders.

In fact, in my own community of Etobicoke–Lakeshore, we too have concerned citizens. Mr. James Toccacelli of Etobicoke–Lakeshore was the first to write

to me about better speech, language and hearing in May, and I want to thank James for his concern and interest. I am sure he is working hard in our community on this front.

Increasing knowledge and understanding about the issues that affect persons with communication disorders is essential. There are many professional services across Ontario—our hospitals, our hearing clinics, our language and speech schools and our community organizations—that are working hard to improve a better quality of life through a variety of treatments, classes and services.

My community is no different. Whether my constituents are using services offered by speech and language pathologists at Trillium Health Centre or making use of the programs offered at Evans Hearing Clinic, the residents in my community are benefiting.

Our government recognizes the importance of getting help early on, which is why the Ministry of Children and Youth Services has information both on the infant hearing program and a preschool speech and language program to provide assistance to our children.

I want to once again thank James and also add my own support to encouraging recognition of and, most importantly, responsiveness to better speech, language and hearing, not just in May but all year round.

### EASTERN ONTARIO

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** There is an old saying here in Ontario that the province, to the east, ends at Kingston. This is simply not true. Beyond Kingston lies some of the most significant land in Canadian history, rich in tradition, culture, resources and natural beauty.

Due to long-standing external factors, however, eastern Ontario finds itself in an unenviable economic state. My own riding of Stormont–Dundas–Charlottenburgh has recently witnessed the closure of several key industries, meaning the loss of hundreds of jobs. While the situation being faced by my riding was ignored by the last government, the McGuinty government has shown its leadership and commitment to the people of eastern Ontario.

Last Friday, I had the pleasure of hosting the Minister of Economic Development and Trade at a round table discussion with leaders of local businesses and communities. Minister Cordiano was not only receptive to the concerns and suggestions of those assembled, but had suggestions himself. It was clear to all present that the

minister was aware of what is happening in the region and is committed to doing what he can to help.

Eastern Ontario has a great deal to offer in terms of development, industry, tourism—in every sector. As representatives of the people, we must do all we can to ensure that the rest of Ontario and indeed the world is aware of this. It fills me with great confidence that the Minister of Economic Development and Trade feels the same way. Through words and actions, the minister and the McGuinty government have shown their commitment to all Ontarians. It is clear to all that this government's Ontario includes the east and my riding of Stormont—Dundas—Charlottenburgh.

### ADOPTION DISCLOSURE

**Mr. Norman W. Sterling (Lanark—Carleton):** I want to read a letter on Bill 183, the Adoption Information Disclosure Act, from a parent who has adopted children.

"I was wondering if anyone looked at how this bill would affect children that have already suffered horribly at the hands of the very people this bill would allow access to the child's identity and location. I understand that the child would be 19, but that still is a very vulnerable age to force them into meeting the person responsible for their earlier pain and terror. This would have far-reaching effects on the child/young adult for the rest of their lives.

"As much as I wish that all children in need of adoption were merely the blessings of young people's mistakes, this is not the reality. Unfortunately, the reality is that many are children with horrifying pasts that this bill would endanger.

"If we look at the recent case in the news of the man who beat his own six-year-old child into critical care at the hospital, this Bill 183 would allow that same individual to find his victim again.

"Time does not heal all wounds. The child/young adult should have the choice of when and if they wish to deal with meeting their biological parents. The adopted child should not be forced into dealing with situations they may or may not be able to handle."

This person is outraged at the inability to come forward and have their say on this bill because this bill was truncated to one day of hearings for all of Ontario, some 250,000 files that that represents. This is awful, Mr. Speaker.

### NORTHERN ONTARIO SCHOOL OF MEDICINE

**Mr. David Oraziatti (Sault Ste. Marie):** Residents in my riding of Sault Ste. Marie are very pleased about the opening of the Northern Ontario School of Medicine. In fact, northern Ontario, as well as the entire province, will benefit from the increase in physician supply. This coming fall, we will be opening the first medical school

in Ontario in more than 30 years, and we will be doing it in northern Ontario.

Our government provided over \$95 million to make the newest school of medicine a reality despite the fiscal challenges left to us by the past government. We provided \$32.9 million for the school's capital construction on two sites, and we provided \$62.4 million for the first three years of operating, with additional funding to come.

**1340**

On Monday, May 16, Dean Roger Strasser of the medical school was in Sault Ste. Marie, and together with Jerome Quenneville, CEO of the Sault Area Hospital, they signed a landmark agreement. This agreement reaffirms our city's role in the success of the medical school program. Dr. Strasser said, "Sault Ste. Marie is and will be a major part of the school and the school will be a major part of Sault Ste. Marie."

A medical school office is scheduled to be opened in the community to provide services for students during their third year of clinical training.

By signing a new OMA contract, by more than doubling the number of foreign-trained medical graduates, by increasing physician enrolment by 15% and by building the Northern Ontario School of Medicine, we are reversing some very poor decisions made by our predecessors when it comes to physician supply. Premier McGuinty, Minister Smitherman and our government are following through on our commitment to improve Ontarians' access to physicians.

### ADOPTION DISCLOSURE

**Mr. Jim Flaherty (Whitby—Ajax):** The Adoption Information Disclosure Act, Bill 183, before this House fails to protect the privacy rights of birth parents and adopted persons who wish to have their private, personal information remain private. The basic principle is that if the natural mother doesn't want to reveal her personal information, that's her right to the privacy of her very private, personal information.

Within the past hour, I've had yet another phone call from an adopting parent concerned about the absence of anonymity promised by the government of Ontario when the adoption took place, now being proposed to be breached in this new legislation retroactively.

The government of Ontario gave its word to adopting parents and birth parents over these many years. Now, retroactively, this Liberal government wants to strip those privacy rights away.

I've heard comments from constituents in Whitby and from people across the province to the same effect as Information and Privacy Commissioner Cavoukian put it yesterday in her quote: "How can people ever trust government again?"

That Information and Privacy Commissioner is our commissioner in this Legislature. I urge members to respond to her warnings to us and even to listen to the Toronto Star when it quoted the Information and Privacy



Commissioner and concluded that she is right and to bring in the appropriate veto amendment to the bill.

**Mr. Gilles Bisson (Timmins–James Bay):** I'm going to take a totally opposite view than that of my colleagues within the Tory party, and I'm going to speak about it in a personal sense.

I was contacted by somebody from my family that I didn't know about. I got a phone call about four or five years ago from Collette, my sister who lives in British Columbia, who had been trying for years and years to get in contact with our family. She was blocked. Why? Because we didn't have adoption disclosure legislation. For 20 years, she tried to find her family and was not able to. The only reason she did was because—guess what?—her brother happened to be an elected official in the province of Ontario, and she knew that her mother had eventually married a person by the name of Bisson. So here I am: somebody who was contacted by his adopted sister. I have nothing bad to say about the experience.

I've got to tell you a story. It's kind of funny. My sister and I had an opportunity to meet a number of times, but the neatest was last summer. We all went to the family cottage. There we were: my sister Louise, my brother Claude, my sister Collette from British Columbia, and my mother. Even though we had not been raised together—my sister is now over 50 years old—it was as if we had lived together all of our lives. A connection was there.

So I say to those birth mothers and children who are trying to get in touch with each other that it's a great experience, a wonderful experience, and one that I'm certainly glad we had the opportunity to have in my family, because I not only have Collette as a sister but I have three wonderful nephews and nieces and their children as part of my extended family.

I look forward to other people being able to be successful in their encounters in the future.

### NORTHUMBERLAND

**Mr. Lou Rinaldi (Northumberland):** Before I begin, I'd like to welcome a number of co-op students from my riding, my staff member Karen, and Mayor Forrest Rowden from Hamilton township.

Last week, John Tory visited my riding of Northumberland. However, while Mr. Tory portrayed himself as an expert to our local media, his statements revealed that he had not learned a lot about the riding while he was there. Perhaps this is because Mr. Tory failed to hold discussions with Warden Delantey, Mayor McMillan, Mayor Rowden, Mayor Herrington, Mayor Dekeyser, Mayor Finley and Mayor Campney.

Had Mr. Tory taken the time to meet with the mayors in the riding, he would have learned that we are the benefactors of over \$3 million from the new Ontario regional partnership fund. Mayor Forrest Rowden, right here today, could testify that his municipality got an increase of over \$405,000.

We also provided funding for two new family health teams, \$350 million for long-term-care facilities, over \$1.3 million to improve our rural schools, \$500,000 of provincial funding for our First Nations, \$440,000 in new gas tax funding for our municipalities, and the list goes on and on.

Mr. Tory should spend more time meeting with these people before speaking to the media, because he still doesn't know what Northumberland riding is all about.

### CHEVALIERS DE LA PLÉIADE

**M. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** Chers collègues, c'est avec honneur et fierté que je viens partager avec vous que cet après-midi à 16 h, en présence de l'honorable James Bartleman, lieutenant-gouverneur de la province, la section ontarienne de l'Assemblée parlementaire de la Francophonie procédera à la décoration de sept Ontariens et Ontariennes qui se sont particulièrement distingués en servant les idéaux de coopération et d'amitié de la francophonie.

Les récipiendaires se méritant le grade de Chevalier de la Pléiade, ordre de la Francophonie et du dialogue des cultures, sont :

M. Sylvain Charlebois de Casselman, qui a été l'un des grands artisans de l'Écho d'un peuple, spectacle qui raconte 400 ans d'histoire du Canada;

M. Robert Dickson de Sudbury, auteur, professeur et créateur qui participe depuis plus de 30 ans à l'enrichissement de la vie culturelle et artistique au Canada français;

Le sergent d'état-major Yves Dupuis de la Sûreté provinciale de l'Ontario, du détachement de Russell, qui a pour but d'embaucher des agents bilingues et dont le détachement comprend actuellement 47 agents bilingues;

M. Gaétan Gervais de Sudbury, qui en 1975 a conceptualisé le drapeau franco-ontarien avec un groupe d'étudiants de l'Université Laurentienne;

M. André Rhéaume de Hearst, qui s'assure que la population franco-ontarienne ait accès aux services gouvernementaux dans la langue française et qui en revendique les droits avec grande conviction;

M<sup>me</sup> Léonie Tchatat, qui, de par ses actions sociopolitiques, ne rate jamais l'occasion de promouvoir la francophonie ontarienne et la diversité culturelle;

M. Marcel Beaubien, ancien député de la circonscription de Lambton–Kent–Middlesex et ancien vice-président de l'APF.

Chers récipiendaires, mes plus sincères félicitations.

### VISITORS

**The Speaker (Hon. Alvin Curling):** Just following up on that statement, we have in the Speaker's gallery today Ontario's recipients of the internationally recognized medal of la francophonie, l'Ordre de la Pléiade, for their outstanding contributions to French-speaking communities in the province.

Please join me in welcoming our honoured guests.

## LEGISLATIVE PAGES

**The Speaker (Hon. Alvin Curling):** I would like to ask all members to join me in welcoming this group of legislative pages serving in the first session of the 38th Parliament:

Paige Allerton, Bruce-Grey-Owen Sound; Luke Andary, Chatham-Kent-Essex; Alecia Blackman, Hamilton East; Alexander Debski, Mississauga Centre; Kyra Droog, Perth-Middlesex; Alexandra Edgar, Oakville; John Griffiths, Waterloo-Wellington; Benjamin Head, Oshawa; Emma Mew, Trinity-Spadina; Sarah Osman, Scarborough Centre; Nicholas Palombo, Vaughan-King-Aurora; Patrick Quinton-Brown, Whitby-Ajax; Misha Schwartz, Beaches-East York; Devon Sweetnam, Dufferin-Peel-Wellington-Grey; Graeme Tyrrell, Windsor West; Meredith Williams, Scarborough Southwest; Courtney Young, Lanark-Carleton; and Kai Zhao, Brampton Centre.

Let me welcome them to our session here today.

## REPORTS BY COMMITTEES

STANDING COMMITTEE  
ON THE LEGISLATIVE ASSEMBLY

**Mr. Bob Delaney (Mississauga West):** I beg leave to present a report from the standing committee on the Legislative Assembly and move its adoption.

**The Acting Clerk-at-the-Table (Ms. Tonia Grannum):** Your committee begs to report the following bill as amended:

Bill 133, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act in respect of enforcement and other matters / Projet de loi 133, Loi modifiant la Loi sur la protection de l'environnement et la Loi sur les ressources en eau de l'Ontario en ce qui a trait à l'exécution et à d'autres questions.

**The Speaker (Hon. Alvin Curling):** Shall the report be received and adopted? Agreed.

Pursuant to standing order 72(b), the bill is therefore ordered for second reading.

## INTRODUCTION OF BILLS

INSTITUTE FOR  
CHRISTIAN STUDIES ACT, 2005

Mr. Marchese moved first reading of the following bill:

Bill Pr14, An Act respecting the Institute for Christian Studies

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, the bill stands referred to the standing committee on regulations and private bills.

## MOTIONS

## HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism and Recreation):** I move that pursuant to standing order 9(c)(ii), the House shall meet from 6:45 p.m. to 12 midnight on Tuesday, May 31, 2005, for the purpose of considering government business.

I want to work.

**The Speaker (Hon. Alvin Curling):** Order. Is it the pleasure of the House the motion carry?

All those in favour, please say "aye."

All against, say please "nay."

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1353 to 1358.*

**The Speaker:** Order. Would all members please take their seats.

Mr. Bradley has moved government notice of motion 383.

All those in favour, please rise one at a time and be recognized by the Clerk.

## Ayes

Arnott, Ted	Hardeman, Ernie	Peters, Steve
Arthurs, Wayne	Hoy, Pat	Peterson, Tim
Baird, John R.	Hudak, Tim	Phillips, Gerry
Barrett, Toby	Jackson, Cameron	Pupatello, Sandra
Bartolucci, Rick	Jeffrey, Linda	Qaadri, Shafiq
Bentley, Christopher	Klees, Frank	Racco, Mario G.
Berardinetti, Lorenzo	Kular, Kuldip	Ramali, Khalil
Bradley, James J.	Kwinter, Monte	Rinaldi, Lou
Broten, Laurel C.	Lalonde, Jean-Marc	Runciman, Robert W.
Brownell, Jim	Levac, Dave	Sandals, Liz
Cansfield, Donna H.	Marsales, Judy	Smith, Monique
Chambers, Mary Anne V.	Martiniuk, Gerry	Smitherman, George
Chudleigh, Ted	Matthews, Deborah	Sterling, Norman W.
Colle, Mike	Mauro, Bill	Tascona, Joseph N.
Cordiano, Joseph	McMeekin, Ted	Tory, John
Craiton, Kim	McNeely, Phil	Van Bommel, Maria
Crozier, Bruce	Meilleur, Madeleine	Wilkinson, John
Delaney, Bob	Miller, Norm	Wilson, Jim
Dhillon, Vic	Milloy, John	Witmer, Elizabeth
Di Cocco, Caroline	Mitchell, Carol	Wong, Tony C.
Duguid, Brad	Mossop, Jennifer F.	Wynne, Kathleen O.
Flaherty, Jim	O'Toole, John	Yakabuski, John
Flynn, Kevin Daniel	Oraziotti, David	Zimmer, David
Fonseca, Peter	Parsons, Ernie	
Gravelle, Michael	Patten, Richard	

**The Speaker:** All those against, please rise one at a time.

## Nays

Bisson, Gilles	Horwath, Andrea	Martel, Shelley
Churley, Marilyn	Kormos, Peter	Prue, Michael

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 73; the nays are 6.

**The Speaker:** I declare the motion carried.



## STATEMENTS BY THE MINISTRY AND RESPONSES

### TOBACCO CONTROL

**Hon. George Smitherman (Minister of Health and Long-Term Care):** As I am sure many of my colleagues are aware, today is World No Tobacco Day.

This is an event that, if I had my way, we would not be observing. That is because if I had my way, there would be no smoking. Sadly, the fact is that smoking is too entrenched a habit in our society for it to disappear any time soon.

That does not mean, however, that there is nothing we can do. That does not mean that we shouldn't make it an absolute priority to protect people from second-hand smoke, to help prevent young people from starting and to help those who want to quit.

I am so very proud, therefore, to stand in my place today to inform this House that we are stepping up our battle against smoking with a historic \$50-million investment to support our Smoke-Free Ontario campaign, the toughest, most comprehensive, far-reaching anti-smoking strategy in North America. This \$50 million represents a 66% increase from last year, and it is the largest single amount ever spent in this province to protect Ontarians from what is truly a deadly killer.

I know that my colleagues have heard these statistics many times before: smoking is the number one preventable cause of death and illness in Ontario; 16,000 premature and preventable deaths in Ontario every year—that's 44 Ontarians killed by tobacco every day—\$1.7 billion in health care costs and 500,000 hospital days per year. These aren't just numbers, they're lives: lives lost, lives shortened, lives made painful and sad, wasted lives.

The \$50 million will be invested in 2005-06 to support the three main goals of the Smoke-Free Ontario campaign: protection, prevention and cessation. It will focus on youth prevention programs, public education and cessation, and contains specific initiatives geared to help high-risk populations like gay and lesbian communities and the aboriginal communities, where there may be linguistic, cultural or economic barriers that are more difficult to overcome.

The \$50 million includes \$5.6 million on youth prevention programs in communities, schools, universities and colleges; \$13.8 million on innovative cessation programs, including, as I mentioned, specific initiatives for high-risk populations. We will be announcing details of the province's largest ever cessation program later this year.

There's \$2 million specifically for aboriginal programs: funding for prevention, education and cessation activities, as well as increasing tobacco control resources in aboriginal communities; \$4.6 million on evaluation, surveillance and administration; \$2.7 million on provincial support programs: funding for province-wide programs to provide training and technical assistance to

tobacco control personnel, and resources and educational materials for health care organizations, communities and the public; \$7.7 million to public health units to increase resources for health protection and enforcement; \$13.6 million on public education.

These programs are a vital part of our strategy. They are also accompanied by an extremely tough piece of anti-smoking legislation, which is being debated for the final time here in this House today.

I'd like to take this opportunity to urge all my colleagues on both sides of this chamber to support the Smoke-Free Ontario Act. If passed, the bill will protect Ontarians from second-hand smoke by banning smoking in all enclosed public places and workplaces as of May 31, 2006. It will ban smoking on school grounds, it will outlaw the large cigarette power walls that our kids see every time they step into a convenience store, and it will increase penalties for those who sell cigarettes to our kids.

If it passes, one year from today Ontario will be a healthier place to live and to work. We have a chance to do the right thing and protect this and future generations of Ontarians from the perils of tobacco smoke. To my colleagues, I'd just like to say, let's get this thing passed. This isn't a battle we're going to win overnight but we are, as a government, absolutely committed to fighting it and winning it over the long haul.

That's why we've brought together what we're calling our campaign cabinet: 12 concerned Ontarians from various walks of life who will bring expertise, skill, passion and commitment to the job of providing our government with advice and guidance on how best to wage this battle, and wage it we will. We share a vision of health care with the people of Ontario. It's a vision of a system that helps keep Ontarians healthier, gets them good care when they are sick and will be there for their children and for their grandchildren.

On this World No Tobacco Day, I want to say that there is nothing better we can do to help keep Ontarians healthier than to protect them from second-hand smoke, convince our young people not to start smoking, and to help our smokers quit. That's our mission, and by working together I'm confident we can have success.

### DOMESTIC VIOLENCE

### VIOLENCE FAMILIALE

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** It is my great pleasure to inform the House that earlier today our government took important steps toward reducing domestic violence in Ontario. Our actions respond directly to recommendations put forth earlier this month by the domestic violence death review committee to the chief coroner. They advance the government's commitment, through our domestic violence action plan, to better protect women and children now, and reduce domestic violence in the future.

They recognize that May is Sexual Assault Prevention Month. In fact, today is the last day and we wear this daisy proudly as a symbol. It's up to all of us to help stop all forms of violent behaviour against women and girls. They build upon our firm belief that all women deserve to live free of fear in their homes and in their communities.

To do this most effectively, we must take domestic violence out of the shadows and bring the full force of public censure to bear. Our \$66-million action plan launched last December and developed through extraordinary commitment, partnership and co-operation has provided the visionary blueprint to build awareness, to support women and to prevent and reduce domestic violence.

Let me remind the House of the plan's four fundamental components:

(1) Our government is notably enhancing and improving vital community supports such as counselling and housing.

(2) We are strengthening Ontario's justice system. The McGuinty government will absolutely not tolerate domestic abuse and our strengthened justice system will better support women who have been victimized, and we will hold their abusers strictly accountable for their violent behaviour.

(3) We are placing greater emphasis on training to enable early identification and intervention by professionals of abused women.

(4) We recognize that in order to reduce domestic violence, it is critical to break the destructive cycle of attitudes and behaviours that make it possible for women to be victimized in the first place. Our government is committed to changing attitudes and preventing violence before it occurs.

It's up to all of us—individuals, communities, the province—to work together to prevent and reduce domestic violence. This morning we took one giant step forward. I was pleased to announce that our government is investing \$4.6 million in 28 pioneering new initiatives. Fourteen of these initiatives are specific to our commitment to early intervention and to strengthen justice, and they address the domestic violence death review committee's recommendations on risk identification and to ensure improved ability to identify abuse early on.

Our government will support training that is targeted to a broad range of professionals working in a wide range of sectors. We are supporting a great initiative, for example, by Legal Aid Ontario, together with their partner, the Barbra Schlifer Commemorative Clinic, to train legal aid service deliverers to identify abuse and on guidelines for providing services to abused women.

1410

We are funding the National Judicial Institute's proposal to provide skills-based education to assist Ontario's judges in court cases involving violence against women. Sheltersnet for abused women will, with this grant, provide training, host conferences and conduct research to enhance service delivery of shelters.

These people and others are often in the best position to spot cases of abuse before the abuse has a chance to escalate. Our goal is to provide them with appropriate training so they can intervene earlier and provide abused women or women at risk with the proper response, advice, information and support to rebuild their lives.

Fourteen additional programs focus on our government's commitment to mobilize communities to stop the abuse from happening in the first place.

D'après la recherche, les attitudes touchant l'égalité et le comportement approprié au sexe se forment en principe dans l'enfance. Ces initiatives ciblent tant les enfants que les jeunes, ainsi que les adultes qui les influencent.

They are focused on helping young Ontarians develop positive attitudes now so they can develop healthy, equal relationships in the future. They particularly target at-risk communities such as Aboriginal women and girls, new Canadians, northern, rural and francophone women.

Let me give you a few examples of these innovative programs. The Mujer will train young Latin American women and men as peer educators to deliver violence prevention and healthy relationship programs to children and youth in the greater Toronto area's Latin American community. Le Centre ontarien de prévention des agressions reçoit des fonds pour apprendre et pour partager les approches en français destinées à prévenir la violence faite aux femmes et aux filles, ainsi qu'aux enfants et aux jeunes âgés de huit à 16 ans. Minwaashin Lodge, an Aboriginal women's support centre, will deliver a symposium for service providers working with Aboriginal youth and will develop a peer education tool kit to be distributed province-wide.

These announcements we made today continue to build on the announcements of our action plan over the past five months. Each advance reflects the balanced response of this government in supporting victims of domestic abuse and in reducing domestic violence. They include: a \$2-million investment to strengthen 98 women's shelters; second-stage housing providers as key points of refuge for women fleeing abusive situations; investing \$3.5 million in training programs to help disadvantaged and abused women succeed in the workplace and gain economic independence; piloting a risk assessment tool to help police and prosecutors determine quickly whether an accused seeking bail is likely to commit another domestic assault; investing \$3.5 million annually in additional funding to create housing supports for abused women and their children; investing \$2.1 million in interpretation services for victims of domestic violence with a limited proficiency in English; and launching the new \$734-million affordable housing program with our federal and municipal partners. This program will build 15,000 new affordable housing units in Ontario, with vulnerable groups, including victims of domestic violence, receiving priority.

Our government is committed to building strong communities. We know a community is only as safe as the support it offers its most vulnerable members. We all



have an obligation to work together to prevent and reduce the terrible reality of domestic violence. I am proud to chair an interministerial taskforce where all hands are on deck. And we will make a difference.

**The Speaker (Hon. Alvin Curling):** Responses?

### TOBACCO CONTROL

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** I'm pleased to respond to the announcement that has been made today by the Minister of Health in recognition of World No Tobacco Day. This particular day has as its theme this year the role of health professionals in helping individuals quit smoking, and I think we must recognize that it is a role that most health professionals do take very seriously.

There is an article here today by Dr. Albert Schumacher, president of the Canadian Medical Association, which speaks to the fact that "in an average week, physicians will deliver a diagnosis of lung cancer to 427 people and in 85% of cases the source of the disease can be traced to tobacco use." If you multiply that, you will see that the message of lung cancer is going to be delivered to people 22,000 times each year.

In this article, Dr. Schumacher also goes on to say that as a result of people working together—governments and obviously health professionals—"Canadians are quitting smoking at a remarkable rate.

"Even though tobacco-related disease still claims 47,500 Canadian lives annually, with smoking accounting for about 30% of all cancers reported, recent data indicate that only 21% of Canadians still smoke, down from 29% a decade ago."

If we take a look here, we see that all the provinces in Canada are taking action to eliminate smoking from their workplaces and public places. "Manitoba and New Brunswick ... have been 100% smoke-free since last October, and Saskatchewan's public places joined the list January 1." Of course, it is the hope that legislation banning smoking in Ontario's workplaces and public places will pass this year. However, it will not take effect until next year, 2006. It should also be pointed out that some parts of the legislation will not actually take effect until 2008.

I think it is important to acknowledge the fact that tobacco is a leading cause of death and disease in Canada. We have been observing this day since 1988. Obviously it's important that the government continues to build on the initiatives we have put forward. In fact, if I take a look, we actually provided \$57 million between 2000 and 2003 on tobacco control initiatives. At that time, that was by far the most extensive tobacco control commitment of any province in the history of Canada.

Again today, we see that this government continues in the fight against smoking. We obviously need to continue to work together to ensure that all Ontarians have the opportunity to live longer and healthier lives.

### DOMESTIC VIOLENCE

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** Putting on my other hat, I want to respond to the statement today from the minister responsible for women's issues and her announcement that the government is going to continue to put forward initiatives to address violence against women and girls. That, of course, is very important. It's a very non-partisan issue. We certainly support the initiatives of the government today and we all recognize that there is a need for much more to be done.

I hope the government will also continue to move forward with other election promises, such as amending the Employment Standards Act to allow victims to take unpaid time off from work so they can attend court proceedings involving the crimes committed against them. I hope we will see increased support to the provincial network of sexual assault centres so they can continue to expand awareness campaigns in our high schools, universities and colleges. I hope we can expand access to testing for date rape drugs so that women who have been assaulted can go to their sexual assault centre, their doctor or their hospital and get the information they need.

Most importantly, the government did commit to pass within the first year strong victims' rights legislation that will ensure victims have access to information and services. I hope the government will definitely move forward on that commitment.

1420

### TOBACCO CONTROL

**Ms. Shelley Martel (Nickel Belt):** I'm pleased to respond, on behalf of New Democrats, to the statement made by the Minister of Health.

I want to say to him and to this government: Look, if you really want to convince young people not to start smoking, then you would be banning all tobacco advertising in retail stores and you would be doing that by May 31, 2006.

The fact is that under the amendments that were put forward by the Liberals at the Bill 164 hearings, cigarette packages will continue to be on display in retail stores behind the counter, row upon row upon row of cigarette packages behind the counter for all young people to see.

I asked the question of the parliamentary assistant very clearly: "Is there going to be any restriction on the number, any restriction on where they can be displayed?" No. Any number of cigarette packages will continue to be displayed and will continue to really form an attraction for those young people who are coming into convenience stores on a regular basis, who think it's normal to smoke and who will start smoking merely because of that advertising influence.

It is why, on May 4, the Ontario Convenience Stores Association said they had no trouble taking down any of their lights or the colours on the so-called power walls because those are the least of the attraction to young

people. It's the row upon row upon row of cigarettes that give them the impression it's normal to smoke, that so many adults smoke, that so many young people smoke and it's OK for them to start smoking.

The Liberal election platform said this, and I'm quoting: "We will ban countertop and behind-the-counter retail displays of tobacco products." I don't think most people thought that meant the government wouldn't ban behind-the-counter retail displays until 2008, but that is what Bill 164 now says.

The fact is that during the public hearings, we heard from every health-care-related organization, public health unit and every group of young people who made a presentation that the government should ban tobacco advertising in retail stores. Why? Because 60% of tobacco purchases are impulse purchases. Someone's in the convenience store, they buy something else, and they pick up cigarettes. They are placed in a prominent way to attract young people and to attract people who are picking up stuff and going through the cash register. The behind-the-counter displays add to the normalization of tobacco. It encourages former smokers to start smoking again, and it really does influence young people to start smoking in the first place. We heard that again and again, from young people in particular, who came to the public hearings.

I say to the government again: You have missed a golden opportunity. The fact of the matter is, having those displays of cigarettes, individual packages in the dozens, in the hundreds, behind the counter is going to continue to influence young people to smoke. Between 2006 and 2008, thousands and thousands more young people will start to smoke, and they will be the cancer statistics 20 years from now.

### DOMESTIC VIOLENCE

**Ms. Marilyn Churley (Toronto–Danforth):** I am responding to the minister responsible for women's issues. You've all heard me repeatedly bring up the issue of the Ontario domestic violence risk assessment tool as a way to save lives. One prominent recommendation repeated in the succession of coroners' reports has been to use these risk assessments to determine bail conditions.

Minister Monte Kwinter stated in this House, in response to my questions, that the government has in its hands such an assessment tool that has been proven to work, but that has been implemented only on a pilot project basis. Why in the world would you pilot project something that you know works, that can save lives? I fear that one of the main reasons, if not the reason, is to save money, and that is unacceptable. You know it works; get on with it.

The minister's announcement today also comes at the end of Sexual Assault Prevention Month. The minister chose to mark it with what is in essence a re-announcement. What Ontario women have been waiting for throughout this month is finally an announcement of a

plan to combat sexual violence. The McGuinty Liberals, despite repeated requests from myself and sexual assault centres and victims' advocates, has yet to develop a plan to address sexual violence. When pressed, the minister said the domestic violence strategy, despite its name, would target all forms of violence against women, including sexual violence, but it does not do that, with the exception of a preventive education campaign which is limited to students aged eight to 10. That is it.

What we need to hear is a comprehensive plan to measure and resolve the shortcomings toward sexual violence on every front. As a result, it would review and improve procedures that police, crowns and judges currently follow in sexual assault cases, followed with appropriate training and education, plus other components. I'm hoping to hear this announcement from the minister very soon.

### VISITORS

**The Speaker (Hon. Alvin Curling):** I want to specially mention that in the Speaker's gallery is former member Mr. Marcel Beaubien from Lambton–Kent–Middlesex in the 36th and 37th Parliaments.

**Ms. Andrea Horwath (Hamilton East):** On a point of order, Mr. Speaker: I want to acknowledge Michele Blackman who is here, the mum of our page from Hamilton East, Alecia Blackman.

**The Speaker:** That is not a point of order, but—

**Ms. Marilyn Churley (Toronto–Danforth):** But we welcome them anyway.

### DEFERRED VOTES

#### MANDATORY GUNSHOT WOUNDS REPORTING ACT, 2005

#### LOI DE 2005 SUR LA DÉCLARATION OBLIGATOIRE DES BLESSURES PAR BALLE

Deferred vote on the motion for third reading of Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds / *Projet de loi 110, Loi exigeant la divulgation à la police de renseignements en ce qui concerne les personnes traitées pour blessure par balle.*

**The Speaker (Hon. Alvin Curling):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1426 to 1431.*

**The Speaker:** Order. Would all members please take their seats.

Mr. Kwinter has moved third reading of Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds.



All those in favour, please rise one at a time and be recognized by the Clerk.

### Ayes

Amott, Ted	Fonseca, Peter	Oraziotti, David
Arthurs, Wayne	Gerretsen, John	Parsons, Ernie
Baird, John R.	Gravelle, Michael	Patten, Richard
Barrett, Toby	Hardeman, Ernie	Peters, Steve
Bartolucci, Rick	Hoy, Pat	Phillips, Gerry
Bentley, Christopher	Hudak, Tim	Pupatello, Sandra
Berardinetti, Lorenzo	Jackson, Cameron	Qaadri, Shafiq
Bountrogianni, Marie	Jeffrey, Linda	Racco, Mario G.
Bradley, James J.	Kennedy, Gerard	Ramal, Khalil
Brotén, Laurel C.	Klees, Frank	Rinaldi, Lou
Brownell, Jim	Kular, Kuldip	Runciman, Robert W.
Bryant, Michael	Kwinter, Monte	Sandals, Liz
Cansfield, Donna H.	Lalonde, Jean-Marc	Scott, Laurie
Caplan, David	Levac, Dave	Smith, Monique
Chambers, Mary Anne V.	Marsales, Judy	Smitherman, George
Chudleigh, Ted	Martiniuk, Gerry	Sterling, Norman W.
Colle, Mike	Matthews, Deborah	Takhar, Harinder S.
Cordiano, Joseph	Mauro, Bill	Tascona, Joseph N.
Craiton, Kim	McGuinty, Dalton	Tory, John
Crozier, Bruce	McMeekin, Ted	Van Bommel, Maria
Delaney, Bob	McNeely, Phil	Wilkinson, John
Dhillon, Vic	Meilleur, Madeleine	Wilson, Jim
Di Cocco, Caroline	Miller, Norm	Wong, Tony C.
Duguid, Brad	Milloy, John	Wynne, Kathleen O.
Duncan, Dwight	Mitchell, Carol	Zimmer, David
Flaherty, Jim	Mossop, Jennifer F.	
Flynn, Kevin Daniel	O'Toole, John	

**The Speaker:** All those against, please rise one at a time and be recognized by the Clerk.

### Nays

Bisson, Gilles	Horwath, Andrea	Martel, Shelley
Churley, Marilyn	Kormos, Peter	Prue, Michael

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 79; the nays are 6.

**The Speaker:** I declare the motion carried. Be it resolved that the bill do now pass and be entitled as in the motion.

## ORAL QUESTIONS

### ADOPTION DISCLOSURE

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. Few would argue with the desirability of making the process easier for people involved with adoptions to learn more about their identities, including medical information. Having said that, does the Premier agree with me that many of those who would have given up a child for adoption in past years would have had reason to believe, based on what they were told and whatever the exact words were, that their identity, for example as a birth mother, would never be disclosed?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I know the minister would like to speak to this, but let me take this first one here.

I know this can be a challenging issue. The call we have made is that we believe the highest priority must be attached to the right of children to acquire information about their background: where they come from, who their parents are. We think that is very important.

We recognize, however, that there may be some exceptional circumstances where the rights of the birth parent ought to prevail. The amendment we have proposed takes that into account, so that in those exceptional circumstances the birth parent may make an application to override what we think is a very important right that we should recognize attaches to children to gain better understanding of their background.

That's the call that we've made. We think it serves the greater public interest, and we think it gives primacy to the most important right of all here, which is the right of the child to know something of their background.

**Mr. Tory:** Again, to the Premier: In the past, you've held up the privacy commissioner as the ultimate arbiter on questions of privacy. As recently as last December you referred a matter involving a privacy breach by the government to the privacy commissioner for her views. Now the privacy commissioner, who, as you know, is an officer of the Legislature, says that we are reversing the onus on these people—meaning the parents—forcing them to argue as to why their identity should not be disclosed and making them appear in front of a tribunal to plead their cases, when they had been given an assurance of one kind or another by a government official many years ago.

Does the Premier think that the legislation, which will be seen by these people as a breach of trust based on what they always thought they were told and that reverses the privacy onus on to them, strikes the right balance in terms of making it easier on one hand and respecting privacy rights on the other?

**Hon. Mr. McGuinty:** First of all, the Information and Privacy Commissioner phoned me yesterday afternoon. I was pleased to take her call. I thanked her for her interventions. I thanked her for the advice she offered. The Information and Privacy Commissioner does not technically have jurisdiction over adoption issues, but she does obviously have some very important advice to offer whenever she seeks to offer it.

Having said that, we have made a call and it is found in the legislation.

**Mr. Jim Flaherty (Whitby-Ajax):** You're wrong.

**Hon. Mr. McGuinty:** Someone opposite says that we're wrong. I'm prepared to ultimately stand in judgment before the people of Ontario.

But we have made a call. We think we have struck the right balance, as I say, between the right of a child to know something of their background—where they come from and who their parents are—and that we recognize there may be exceptional cases where a parent's right to privacy ought to prevail over that. Again, I believe we've struck the right balance.

**Mr. Tory:** Again to the Premier: I've said to many people in the short time that I've been here—and you've mentioned this—how difficult some of these issues are.

Would the Premier agree with me that given the fact that even his own government's position is evolving in recent days—given the amendments that were filed on this legislation, I think just yesterday—that some additional discussion may be necessary, perhaps involving all of the parties, to try to address the broader public interest and to try to ensure that we have that delicate and important balance between the right to know and the right to privacy just right? Would you agree with that?

1440

**Hon. Mr. McGuinty:** It has been important for all of us of late to address issues of reuniting families. Minister Bountrogianni is very concerned about moving forward in that particular area at this point in time.

This is another instance of what it is that we need to do to reunite families. There have been families who, by virtue of our laws, have been separated since the 1960s, have been unable to acquire information about a child or a parent. We think it is high time that we move forward on this issue.

I've had the privilege of serving in this Legislature for some 15 years now. I can't recall how many bills have been put forward.

*Interjection.*

**Hon. Mr. McGuinty:** Five bills, Ms. Churley tells me, over that period of time. This is not an easy thing to do, but I can tell you, I believe in my heart of hearts that it is the right thing to do. I think that we have struck the right balance. I think it's time to move forward on behalf of the people of Ontario, but especially on behalf of those families that deserve the right to be reunited.

**The Speaker (Hon. Alvin Curling):** New question.

**Mr. Tory:** I'd like to continue with this. Many people inside and outside of this House support the principle, as I said, that we need to make it easier for people to obtain this information, parents and children, but it does have to be balanced against the impact on the privacy rights of other people involved. Many of us, including me, have heard moving stories from people on all sides of this, and I assume, in response to that, that the government did introduce some amendments to the legislation yesterday to deal with some of the difficult circumstances that citizens have raised with us.

These amendments introduced yesterday would require, for example, a woman who's been a victim of sexual assault and had a child as a result to appear in front of a tribunal and plead her case for non-disclosure. Can the Premier confirm that this is the process intended by these amendments, and does he think that is an appropriate requirement to place on someone in that particular circumstance?

**Hon. Mr. McGuinty:** I would like the Minister of Community and Social Services to speak to this.

**Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues):** I think it's important to know—and let me start by saying that what I do appreciate is the support of this bill by the Leader of the Opposition. We supported him taking a stand and voting for this bill. What was

important in this process is that we said we would listen when we got to the hearing stage, which we have done. We prepared, as a government, several amendments in order to strengthen the bill. Many are just technical in nature, but several are from things that we heard at that committee. A significant piece that came from your seatmate, in fact, on the other side of the House was a review of the legislation in five years, and we've added that as an amendment. We think that is a critical piece to make the legislation stronger, and we've added that.

The idea that people would go before a Child and Family Services Review Board is critical to this, because there may be extreme circumstances that none of us in this House has encountered, and we don't know what they are. The detail of how that works, who comes before it and in what way is what we're going to deal with in regulation once this bill is passed, and we hope it will be passed. We plan to address all of that so that it will be the easiest way, so that it is easy for people. We don't want to make things difficult for people. Once again, I do appreciate this member's support of the bill.

**Mr. Tory:** That is part of the problem here. The purpose of second reading and input from the public, limited though it was in terms of how long it lasted, is to have people come and put their concerns forward, and then we all have the opportunity to vote again on third reading, beyond the principle of the bill, which is to make more open this kind of information.

You didn't really address my question, and I'll add another example to it. Beyond someone who's been the victim of sexual assault and had a child, there could be a child who's been adopted and who has been the victim of abuse in the past. Upon reaching their 19th birthday, I think these amendments provide for them to have to appear in front of the same government board to plead their case as to why their personal information should not be revealed. I'd like to ask the Premier to confirm that this is the process that would have to be followed pursuant to the amendments tabled by the government this week. Does he think that is an appropriate requirement to place on someone in that circumstance?

**Hon. Ms. Papatello:** Let me say that it is important that included in the law itself is the notion that adoptees and birth parents can both appear before the board. The detail of how people come to appear there, or the regulations that would cover who appears, comes in regulation. That is a standard format of law here. We will get to that serious discussion when the law is passed.

I do want to say, in the number of cases that this member is choosing to put forward, I hope he'll also speak about the many, many, many young women who were promised information many years ago. They were promised that when the child that they chose to give up for adoption turned 18, they would be able to know how that child fared. They were promised this, and today they are furious. They have been incredibly frustrated because they have not been given this information. So equally, when you hear of those who were promised confidentiality—depending on the circumstances, this member



knows—others were promised guaranteed information. The reality is, none of them has been satisfied.

We believe that this bill is balanced, that it accounts for those extreme circumstances, and I would encourage his support on its next reading.

**Mr. Tory:** Again to the Premier: I've referred over and over again today to the need to strike a balance. I think it's not very comforting to people around the province to think that a lot of the final discussions as to the circumstances in which these people in exceptional circumstances will find themselves will be decided in a closed-door room, with no input from the public at all.

I want to make reference to one more example, because the minister herself made reference the other day to some very difficult family and cultural issues which could result from the disclosure of adoption-related information where other family members may not have known about the birth of a child outside of marriage. I would ask the Premier how this bill and the amendments offered thus far help people who might find themselves in exactly this situation, especially in light of the minister's own statement, carried in the newspaper today, that a birth mother's desire to keep her past secret would not likely be sufficient to keep the records closed. That's what you said. How is that going to comfort anybody in the very circumstances you referred to or in any of these other extraordinary circumstances, and why are you deciding these things in secret? Let's do it together, out in the open, so everybody can see.

**Hon. Ms. Papatello:** I think it's very important to go back to the fundamental piece of this bill, which is the no-contact veto, and contrast that with what is currently the case. Currently in Ontario there is no structure, there is no protection, and in this modern age of technology, people are being found—the fateful phone call out of the blue, the knock on the door—with no ability to say, “I don't want to be contacted.”

The first time the bill was introduced in this House, we were very clear: We are here because we believe there is a right to information, not a right to a relationship. In this bill, when and if it becomes law, it will also have the proviso to include a no-contact notice, which today does not exist. People in every other jurisdiction where it is used place a no-contact. It still allows the passage of vital information, like medical, like the circumstances surrounding the adoption, on forms that we would develop, again, after the bill becomes law. This is important. Today there is no protection. After our bill, there will be significant protection that has worked in every jurisdiction where it's been employed.

#### SERVICES FOR DISABLED CHILDREN

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Premier. Yesterday I asked your Minister of Children and Youth Services about the Ombudsman's report that calls your government's treatment of disabled children with severe special needs unjust, oppressive and unfair. Your minister said, “I understand

the parents' frustrations. It has taken far too long. But we are taking action.” A little bit of hope was offered to these parents. But then late yesterday, your government filed court documents that state your intention to fight the class action lawsuit launched by these parents. Is this what the McGuinty government calls taking action to help these parents: forcing them into court and fighting them every step of the way?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I'm going to deal with this and then provide the Attorney General with an opportunity to speak to it.

Let me reassure the member opposite of our intent and our earnest desire to move forward as quickly as we reasonably and responsibly can to reunite these families. The Ombudsman has raised the profile of this issue, as he should, and we welcome his recommendations. The minister has indicated it's our intention to move forward as quickly as we can, but there has been a development that has thrown a bit of a wrench into the works, and I'm going to allow the Attorney General to speak to that. I know he would like to speak to this in response to the member's supplementaries.

**Mr. Hampton:** Premier, let me tell you the response of one of the parents who has to look after one of these disabled children. This is her response. This is Anne Larcade, and in her press release she notes that Liberals were supportive of her case when they were in opposition: “When we were suing the Harris government, the Liberals did not wait to welcome us into their offices. They attended all our press conferences. Now, they won't acknowledge we exist. They won't even talk to us. I wrote to the minister almost two weeks ago asking for a meeting to try and resolve all of this to end any further suffering for the families. She has not even had the decency to respond.”

Premier, before the election you were the best friends of these parents and their unfortunate children. After the election, you forced them into court and you fought them every step of the way. Is this what you call helping these very disabled children and their parents?

1450

**Hon. Mr. McGuinty:** To the Attorney General.

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I say to the member, as the minister said earlier on this week and many times thereafter, we are, as a government, trying to do everything we can—everything possible—to reunite families. At the same time as this action is taking place, we have to comply with concerns raised by counsel. I'm very optimistic that in fact we're going to be able to do that.

I say to the members opposite, if they have specific questions about that, I can assure them that we are doing everything we can to work with counsel for the plaintiffs, because counsel for the plaintiffs have expressed some concern about our directly contacting these families. We are trying to work that out and we intend to work it out between now and Friday. We remain on track and optimistic that we will get there.

**Mr. Hampton:** We checked with counsel for the plaintiffs, Premier; all they're asking you to do is abide by the law, something your government seems to have a lot of trouble doing when it comes to disabled kids. But this is a pattern, because the Ombudsman says that over the past two years, instead of helping children and parents, your government has accused them of milking the system and jumping the queue. Your minister even suggested that they were unethical, "... those who have the political astuteness to come to this gallery. That's unfair, that's unethical...."

Premier, I want you to know what I think is unethical. I think it's unethical that you pretend to be the best friend of these parents and these kids before the election, that you can't stop yourself from attending all of the press conferences, but now, for two years, you've done everything to frustrate them and throw them off. This even continues after the so-solemn statements of your minister yesterday. When are you going to stop fighting them? When are you going to settle the court case? When are you going to keep your promises?

**Hon. Mr. Bryant:** Again I say to the member opposite, who I'm sure does understand this, as a former Attorney General, that counsel representing the plaintiffs have expressed some concern about the government directly contacting these families to try and ensure that we get them together again. So we are trying to comply with and work with counsel for the plaintiffs, and I'm optimistic we will do that. Discussions are ongoing. I understand you've spoken with plaintiffs' counsel, and so are we, literally having ongoing discussions right now with counsel for the plaintiffs, and we will continue to do that.

The point is that we, as a government, are committed to moving forward. We're committed to making this happen. We are trying to comply with counsel's requests and also ensure that we're doing everything in accordance with the court's wishes. As we have updates, we'll provide them, but we continue to be optimistic that we will in fact be able to reunite these families.

**The Speaker (Hon. Alvin Curling):** New question.

**Mr. Hampton:** To the Premier again: Anne Larcade is clear. In her press release she says the government should announce today that they will drop the appeal, "implement all four recommendations of the Ombudsman's report with a schedule by June 30." Instead, we have the minister saying one thing here yesterday and doing something later on that day.

But I want to go back to the Ombudsman's report, because the Ombudsman says that your government's so-called progress reports of the past two years on this issue are "jargon-laden missives designed to create the illusion of progress while nothing concrete was being done." He said, "I am concerned from the response that I am getting that nothing will be done and this will be justified in the name of avoiding an ad hoc response so that a long-term solution can be crafted." But nothing gets done.

Premier, for two years you could have addressed this. The parents called and pleaded, "Please, meet with us

now after the election, the way you used to meet with us before the election." Why are you still fighting them in court and why are you still giving them the hands off?

**Hon. Mr. McGuinty:** To the Attorney General.

**Hon. Mr. Bryant:** I said I would provide updates as we get them, and I'll give you an update.

We will bring a motion before the court to get direction from the court to permit us to move as quickly as possible to achieve the goals that have been announced by the minister. We feel that is in the public interest. We feel that is in the kids' interests. We are trying to do exactly what the members opposite are calling for.

I'm happy to provide this update, and if I have another one, I'll provide another one.

**Mr. Hampton:** I want to go back to the Premier, because these are his promises.

Premier, this is what you said during the election: "We will ensure that all our children get what they need to succeed." But for two years, these parents have been stonewalled. For two years, they've been told, "If you want your children to get the services they need, then you must give up your children." When they tried to contact your minister, she pretended they didn't exist. This is the same minister who used to fawn over them before the election.

Premier, I don't understand why it has taken a court challenge and an Ombudsman's report to get your government to do the right thing, and still you can't manage to do the right thing. What's the problem over there?

**Hon. Mr. Bryant:** I just want to say again that we are proceeding as aggressively as possible to in fact reunite these families. If the former Attorney General is suggesting to me that we simply settle a half-billion-dollar class action right here on the legislative floor, I say to you that I am more interested in empowering the minister and the government to be able to reunite these families.

**Ms. Shelley Martel (Nickel Belt):** Tell the truth, Michael.

**The Speaker:** Order. Member from Nickel Belt, would you like to withdraw your comment?

**Ms. Martel:** I withdraw.

**The Speaker:** Attorney General?

**Hon. Mr. Bryant:** As I say, we are bringing a motion to get the authority from the court and direction from the court to ensure that our government is doing what previous governments did not do and reuniting those families.

**Mr. Hampton:** Here's the position of these desperate parents and their kids. The Ombudsman says these parents are in crisis. Many of their families are breaking up. Many of them are under a doctor's care themselves. For two years, they've been trying to get your government to do the right thing.

You said, "Oh, it's finances." The Ombudsman said, "It's not finances. This is not a financial floodgates argument." Then you offered up all these missives that the Ombudsman calls nothing but an effort to delay, nothing but an effort to put these parents off.

They came here yesterday, and as is so typical of the McGuinty government, you get up and give a speech and



say, "Oh, everything is going to be fine," and then they go home and they find out that you're filing documents to fight them in court.

Tell me something: Is this strategy over there, or are you people really this inept and uncaring?

**Hon. Mr. Bryant:** The government is doing the right thing here. The minister asked children's aid societies to identify children with complex, multiple special needs who enter their care for the sole purpose of receiving services. At this point, counsel for the plaintiffs has indicated that they do not want children's aid societies to contact those families. Well, we need some direction from the court, because we want to contact those families, because we want to reunite those families. That's what we're trying to do, and that's what we will do.

### ADOPTION DISCLOSURE

**Mr. Cameron Jackson (Burlington):** My question is for the Premier. Premier, in the Sunday Sun there was an exclusive, dealing with Jane Doe and Stef Doe, whose identities, as you can tell, are not known for very good reasons. These women were sexually assaulted and nearly murdered by Bernardo and Homolka. What's important here as well is that these two individuals have their identities protected under laws that were created in this very chamber.

Premier, how is it that you refuse to protect the identity of young women in this province who are sexually assaulted and victims of incest, yet you refuse to provide the protection that they have requested and that Ann Cavoukian, the commissioner, has requested for this unique group of victims in this province? Nowhere in the world has anybody exposed these victims, predominantly young women, to this kind of risk.

1500

I ask you, Premier: Will you not consider the amendments that respond to this very unique group of individuals so that their lives are not put at risk? We fought for years to win these concessions in our court system and to protect victims. Will you not consider these today?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the Minister of Community and Social Services.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** We had been working on this side of the House for many months before a bill on adoption was introduced. Serious meetings occurred with the children's advocate, with the Attorney General's office, with the minister for children—a whole series internally before we went outside of government. These are the people we consulted with, especially the advocate for the child, who came to us with serious concerns much like the description the member opposite poses today.

The result of that was the crafting of a bill that would have protections for these people. We had to make sure of that. We talked to adoptees, and adoptees told us very clearly that they are adults. Adults want to have adult

choices, and adults want information available to them. We went to these people with the absolute worst-case scenario about what they might find if they were to have that access. They simply want to know, and that's exactly what they told us.

**Mr. Jackson:** Premier, your minister earlier today announced funding for sexual abuse victims, for incest survivors, for a whole host of women and others in this province whose rights are being protected and upheld, and yet we have legislation in front of us that even New South Wales, the model we're led by your government to believe is the model you're using in Ontario, doesn't go so far as to put these individuals at risk.

Premier, I remind you, your legislation eliminates the registrar of adoption information and adoption disclosure registration. It means that court records of children who were sexually abused, victims of incest, will disappear under this legislation, and there will be deemed no crime ever to have been committed against these children, because those records will not be accessible for their own defence. So a person who perpetrated that and received leniency from not being able to have the full force and effect of the law brought against them—those children were simply removed from that abusive situation and they were put up for adoption. We ask that you give those children the right of a veto, which is in three other provinces. Just this group of individuals, Premier: We ask you for their protection.

**Hon. Ms. Pupatello:** I have to say that I don't know what bill that member is speaking about, because that is not the bill that is before our House today. I will say once again for this member that before we presented the bill, we had a number of months of serious deliberation to present the bill that was tabled in the House. We spoke with the child advocate's office and the Attorney General's office, all of whom knew what the serious concerns would be and what had to be addressed in the bill. That bill went forward to internal committee in this House, and once again it was put to rigorous testing by the members of our own committee. All of us on our side of the House will remember those days. We went again and said that when the bill was tabled, we would listen.

We have listened to the privacy commissioner. We have listened to people who have come forward. Once again we've introduced amendments for further protections. When we have extreme circumstances in these cases, we need to be sure, and we've submitted those amendments. But I can tell you this: There is nowhere in the world where we have no-contact vetoes that have not worked.

We have good legislation before the House today. We have, in those extreme cases, safeguards put in place; even more so now with our amendment. I am comfortable that this is good legislation and I look forward—

**The Speaker (Hon. Alvin Curling):** Thank you.

### SERVICES FOR DISABLED CHILDREN

**Ms. Andrea Horwath (Hamilton East):** In the absence of the Minister of Children and Youth Services,

my question will go to the Premier. Yesterday your minister promised to return children with special needs to the custody of their parents, parents who were forced by that very minister to give up custody of their children in order to get the services they require from children's aid. But no commitment was made to the hundreds of children whose families are at the breaking point right now because they still can't access the services they so desperately need. You said nothing at all about actually getting care for the children who are currently languishing on waiting lists because their families are working so hard to try to cope with their needs at home. When are you going to give these disabled children the services they need?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Let me say that we are proud of what we've been able to do thus far with respect to helping our most vulnerable children in the province of Ontario. In fact, I would argue that no government has done as much in such a short time as our government has.

*Interjection.*

**Hon. Mr. McGuinty:** It is never enough for the NDP, but that's not our concern; our concern is the greater public interest and the people of Ontario. We have made some dramatic increases, for example, to children's mental health. The NDP, when they had the privilege of serving Ontarians as government, cut children's mental health programs. We've increased funding for children's mental health programs.

**Ms. Horwath:** Notwithstanding the comments of the Premier, the Ombudsman was quite clear on the inaction of this government on this particular file. In fact, he said in his report, "If we wait for a perfect systemic solution before acting we ignore those families who are in crisis and who could be helped now."

The Ombudsman confirmed that you still have the legal authority at this moment to sign those special-needs agreements. So will you immediately reactivate the special-needs agreements as temporary measures so these families don't have to wait any longer for the services that their children so desperately need, or do you choose to continue to ignore them?

**Hon. Mr. McGuinty:** To the Attorney General, Speaker.

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** Again, I say the Ombudsman has made a recommendation and the government has said that in fact we need to move immediately to implement his number one recommendation.

*Interjection.*

**Hon. Mr. Bryant:** I'm sure that the former Attorney General wouldn't want to confuse people as to what the government is doing. I'm sure he wouldn't want to do that. And I'm sure he would want people to know, as they should know and as the public deserves to know, that we are bringing a motion to try to enable the minister to reunite the families. That's what we are trying to do. I'm sure that the former Attorney General, Mr. Hampton, when he has an opportunity, would want to clarify that

whereas he cut the funding, we are attempting to reunite families like never before.

## TOBACCO CONTROL

**Mr. Brad Duguid (Scarborough Centre):** My question is to the Minister of Health and Long-Term Care. I was pleased to hear the minister's statement today that our government is moving forward and fulfilling our goal of making Ontarians healthier by urging them to quit smoking or not smoke in the first place. There's no question that the McGuinty government is moving forward in an unprecedented way to protect the health of Ontarians.

Today you outlined an initiative that demonstrates that our government is moving forward like no government ever has to make Ontarians healthier. I'm particularly interested in finding out how we're going to be able to help prevent young people from smoking. As the father of a young son soon to be nine years old and the uncle of a 14-year-old, I recognize the importance of achieving this goal. Can the minister outline what is being done to prevent young people from smoking?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** As we seek to further stimulate our efforts to help people to quit smoking, we must recognize of course that our first and foremost challenge should be to prevent people from taking up this habit in the first place. The statistics are pretty clear: If a young person doesn't start smoking by the time they're 20, the chances that they will take that up are very, very low indeed. So we're working with youth and involving them very dramatically, as we did in our stupid.ca campaign, where youth activists like Michelle Tham helped to guide that campaign.

Further, through the investments that we're making today, our Youth Action Alliance will allow youth leaders to build coalitions to combat smoking in their communities, there will be education programs aimed at reducing illegal sale of tobacco to minors, funding for six regional youth events, an annual province-wide youth anti-smoking conference and grants to high schools for student-driven anti-smoking projects that are linked to local and provincial programs.

We believe fundamentally that we need young people to help guide this campaign, and that's why I'm very pleased that we'll have a young person, Michelle Tham, sitting on our campaign cabinet helping to make sure that our efforts to assist youth in not taking up this initiative are very, very strong.

1510

**Mr. Duguid:** I'm proud to be part of a government that not only recognizes that young people are our future but that we have a responsibility as a government to ensure that they have the opportunity to excel and succeed. Whether it be investing in their elementary, secondary or post-secondary education or encouraging healthy lifestyle choices, the future of this province is being made brighter because of the McGuinty government.

There's been some media about smokers' rights. While many smokers welcome our smoke-free strategy,



they're also looking for help in their efforts to quit smoking. We all know that's a very difficult thing to do. Do we have any plans in place or do we plan to put any plans in place to assist smokers in overcoming their addiction?

**Hon. Mr. Smitherman:** We will have more to say as we go forward on the largest-ever cessation initiative in Ontario's history. We begin immediately by investing in programs targeting all smokers, including youth, as I mentioned, and focusing resources in particular on high-risk communities. There will be \$1.5 million in innovative programs targeted at high-risk communities, because we know that in some communities—aboriginal communities, gay and lesbian communities, low-income earners and some ethnocultural groups—there is a higher proportion of those individuals who smoke. That means we need a higher degree of effort involved in helping to give people the tools they need to quit smoking.

We're going to expand the intervention program delivered by our partners—the Ontario Medical Association, the Ontario Pharmacists' Association and the Ontario Dental Association—to get all of these health care professionals aligned behind this very significant challenge, and we're going to strengthen the smokers' hotline so that people who need support and are ready to move can get the support they need in a timely way.

These efforts, together, will help us to make Ontario a much healthier place.

#### ADOPTION DISCLOSURE

**Mr. Norman W. Sterling (Lanark—Carleton):** This is a question, again, to the Premier. In Alberta and BC they have a bill similar to ours, but they allow a veto to disclosure, and only 3% to 5% of the people are taking that up.

I want to talk about one of the persons who would take it up here in Ontario who has written to me. This is a 70-year-old woman who was raped 55 years ago by her father. Cases of incest are not uncommon in the CAS, the children's aid society. She gave up her child for adoption. She has spent her entire life forgetting about this tragic event. She hasn't told her husband, her children or her grandchildren. Now you expect her to come forward under this legislation, in front of a bunch of strangers, a government board, behind closed doors, a government that has changed its promise to her that she would have her records sealed forever. Do you expect this woman to come forward and appear before this board? Do you think it's fair to a 70-year-old woman who was raped by her father to come in front of a board and reveal this secret, which she has held close to her heart for all of her life? Do you think that's fair, Mr. Premier?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the Minister of Community and Social Services.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Directly to the point of this question, the way we

have the laws today in Ontario, the woman that this member is bringing forward has no protection, and in this era of modern technology, she is being found, with no protections in place. People are Googling the Web sites; people are employing agencies whose express purpose is to find people. So today, people are being found—I will in a supplementary give you just such an example—but with our bill, this woman will have the opportunity to place a “no contact” on her file.

There is no community like the adoption community that understands the need for privacy; those who have had to suffer under the shame of the word “adoption,” the secrecy that has always surrounded adoption. They understand privacy more than anyone else. They understand that if there is a “no contact” on that file, then they in fact do not contact. That has been the experience of all of the jurisdictions that have employed this, including New South Wales, which is the example that was just brought forward in the other question. In our legislation, the proposal is based on that New South Wales example. Even after a five-year review of their legislation, they have elected not to change it at all, because it has worked so well.

**Mr. Sterling:** This bill, as presented, with a disclosure veto, could provide tremendous happiness for a whole number of people across Ontario. There are 250,000 files, and 95% to 98% of those would be opened, and people could make contact. But we're talking about a small but significant minority here. This 70-year-old woman would be required, in order to protect her anonymity—which she has been promised—to prove to the board that because of exceptional circumstances the order is inappropriate, in order to prevent significant harm to the birth parent.

Well, it depends on her luck of the draw when she walks into that room, because the board will be given nothing more than those parameters to make the decision as to whether or not she can protect disclosure of her information. Why should she, I ask the Premier, trust the appointed members of the board, when you've broken such a sacred trust with her to keep her record confidential? That promise was made to her 55 years ago, and you're breaking that promise now. You're going to put her up in front of a kangaroo court. Why should she trust your government now, after you've broken this sacred promise—

**The Speaker (Hon. Alvin Curling):** Minister?

**Hon. Ms. Pupatello:** Let me say again that in today's world of modern technology, people are being found—people like Graig Stott. This individual wrote to us and appeared before the committee: “My own search and reunion has not been without its painful hurdles for my mother, for my adoptive family and for myself ... My mother was a victim of a rape that resulted in my birth. My mother was terrified about letting me into her life and opening up those secret wounds, but, at the age of 75, and in her own time, she eventually did, and in her own time and in her own way, she chooses to share more and more of herself and her story.”

This woman was found. He was a late-find. He said that he was 31. "I'm a late-discovery adoptee ... brought up much grief, unfinished business and other unresolved issues between myself and my adoptive family." He has come to speak in favour of our bill because he believes that he shouldn't have gone through the hurdles that he did to find her. This woman deserved to have the protections if she didn't want to be contacted, but she had none. That's why she was found. I think it's only reasonable that when you do hear and read the bill, there are protections in it that currently do not exist. We have been careful and we intend to continue to be careful on this very important issue.

#### DUFFINS-ROUGE AGRICULTURAL PRESERVE

**Ms. Marilyn Churley (Toronto-Danforth):** I have a question for the Chair of Management Board, who's waiting patiently for a question. Minister, in 1999, five parties, including the province, the city of Pickering and the region of Durham, signed an agreement to preserve the Duffins-Rouge Agricultural Preserve. Last week, Durham region announced its support of Pickering's decision to breach this agreement. Clearly, Minister, your letter-writing campaign has failed. Will you announce today that you're going to take court action to uphold the Duffins-Rouge Agricultural Preserve agreement?

**Hon. Gerry Phillips (Chair of the Management Board of Cabinet):** I think the public's aware that we, the McGuinty government, have made it very clear that we'll do everything we can to protect the agricultural preserve. It's called the Duffins-Rouge Agricultural Preserve. The member will know that we have our greenbelt legislation; we have the minister's order on the agricultural preserve, which we believe will protect the agricultural preserve. So we're quite confident that we have the tools in place to ensure that that important property stays as an agricultural preserve.

We are looking at whether we should take any additional steps, which might involve additional legal action. But I would just say to the member and to the public that we are quite confident the tools we have in place—the greenbelt legislation and the minister's order—will provide adequate and sound protection for that preserve. So I hope the member can rest relatively comfortably.

**Ms. Churley:** I don't think so, Minister, no. This situation demonstrates that developers recognize, contrary to government claims, that the greenbelt plan can be amended at any time. Why else do you think they're doing this, Minister? Look, Ontario sold the Duffins-Rouge land at rock-bottom prices because of the development veto provided by these easements. By his own admission, developer Silvio DeGasperis will make \$240 million developing his lands within this preserve—millions of dollars that rightfully belong to the people of Ontario. Diplomatic attempts with Pickering and Durham region have failed.

Minister, you have no problem taking the parents of disabled children to court. I'm asking you again now—

this is important. The greenbelt is not permanent; it's a floating greenbelt.

1520

**Interjection:** Yes, it is.

**Ms. Churley:** No, it isn't, and the developers know it. I'm going to ask you again: Will you go to court to uphold the protection of the Duffins-Rouge Agricultural Preserve?

**Hon. Mr. Phillips:** Perhaps I'm repeating. We will do whatever it takes to ensure that that is preserved as an agricultural preserve. We have taken the greenbelt legislation step. We have the minister's zoning order on it. We are convinced that this will provide and does provide adequate protection to ensure it stays as an agricultural preserve.

The member will know that we are looking at whether we should take any additional steps, if there are any other legal steps that we might take to provide even further assurance. But I would just say to the public that we are determined to preserve that as an agricultural preserve. We have these two devices in place right now—the greenbelt legislation and the minister's zoning order—that we believe protect the agricultural preserve. We're looking at whether we should or need to take any further additional legal steps, and we'll continue to look at that, and not rule that out.

But I say again to the member, based on the advice that we've got, you should rest comfortable that we have the necessary steps in place to preserve it as an agricultural preserve.

#### EDUCATION FUNDING

**Mr. Kevin Daniel Flynn (Oakville):** I have a question today for the Minister of Education.

Minister, we all know the importance of a well-funded public education system. We know that can't be overstated. We know by investing in children today, we're securing a prosperous future for Ontario. I know your ministry has worked long and hard to try to resolve funding disparities left over from the previous government. I know that you've sat down in consultations with representatives of the educational field, and today Ontario gets to reap the fruits of that process. However, we all know funding for our public education system needs to be both fair and equitable for all students, wherever they live in Ontario. Minister, can you tell this House today what you have done to ensure that today's historic funding announcement will reach students throughout the entire province of Ontario?

**Hon. Gerard Kennedy (Minister of Education):** I appreciate the opportunity the member is providing to be able to alert the parents and others in the province that there is indeed a tremendous commitment made by this government. One expression of that is funding; another expression is simply finding the ways to help our schools to work better. The funding coming forward today amounts to now \$900 more per student that our government has provided overall. As important as that com-



mitment is, it is being delivered in a way that allows the funding formula to change according to the needs of students, rather than the other way around. In the past, rural students, students in urban areas, students who had extra challenges, had to lose out, were being missed in terms of their potential in schools, and we have improved the learning opportunities grant with our announcement today. We are improving, in fact, support for people with special needs; we are improving support for people who live in rural areas and have to use rural schools that have been desperately underfunded by the previous administration. In sum, we believe the commitment of this government has to be that every student has the same chance to do well, and that is a much greater possibility because of the commitment this government has made clear to school boards today.

**Mr. Flynn:** Thank you, Minister. I'm sure it's the hope of everyone in this House that record investments will result in record achievements. Mordechai Rozanski issued a comprehensive report in 2002, and it analyzed the needs of Ontario's publicly funded education system. It was Rozanski's task force on education that issued a scathing report on the state of education in Ontario after years of Tory mismanagement. It was clear in 2003 that Ontarians flat-out rejected the acrimonious style that the Conservatives took toward education. We're working hard to clean up that mess, and it now looks to me like we've started to achieve that result. Children are now being given the opportunity to reach their full potential in their schools.

Minister, do you intend to implement the full value of funding recommendations made in the Rozanski report and, if so, when do you expect to achieve these results?

**Hon. Mr. Kennedy:** People in this House became aware that even the last government finally had to concede that it had been taking away from students' futures in this province. It had been deducting, through their cutbacks, from the ability of students to progress. An independent review commissioned by that government identified that this deduction, this taking away, had taken place because of the lack of priorities that previous governments were prepared to provide.

I am very glad to let you know that the amount of investment that's above the cost required to keep the system running will now, this year, exceed the amount requested by Dr. Rozanski. In particular areas, we have been able to put forward dollars to help, for example, children living in rural areas, at double the amount: \$100 million, not \$50 million, as requested by Dr. Rozanski.

We've been able to provide support for low-income families and students arising from that, from recent immigration and from single-parent families at a rate that is almost two and a half times as much as what Dr. Rozanski put forward. We're doing that because each one of the investments is reaching specific students who need to be helped, because then they can help themselves. And the education system is—

**The Speaker (Hon. Alvin Curling):** New question?

## ADOPTION DISCLOSURE

**Mr. Norman W. Sterling (Lanark–Carleton):** My question is to the Premier. We know, because through happenstance we received the constitutional opinion of the Attorney General on this piece of legislation, that there is jeopardy with regard to the Charter of Rights with regard to this particular bill. We also know there is constitutional jeopardy with the status quo.

Mr. Premier, you are a lawyer. We also know that the bill in Alberta, which has a veto to the disclosure, is constitutional. Why would you not include in this bill a veto disclosure, which would affect 3% to 5% of the records and would fall within our Charter of Rights?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the Attorney General, Speaker.

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I want to assure the member, and all members of this House, that the bill introduced to this Legislature is consistent with the Charter of Rights and Freedoms, and I don't think the member is taking issue with that. It is one of those issues where, in fact, there are rights and responsibilities on both sides, no matter what a government does, whether it be to withhold information or keep information withheld or whether it be to provide information. I can assure all members of this House that this bill is consistent with the Charter of Rights and Freedoms, and if you have further questions about the specifics of that, I'm happy to answer them.

The particular document that the member is referring to was a December document, I'd remind the member, and this bill was introduced, of course, subsequent to that time. I'll leave it at that.

**Mr. Cameron Jackson (Burlington):** Premier, your Attorney General is leading you to believe that he has legal opinions that say you are not going to have problems with a charter challenge, when in fact the December document which he refers to is in my possession, and it clearly sets out there are risk factors associated with it.

Earlier in my question, Premier, I raised the question of victims and their rights in this province. The Victims' Bill of Rights clearly indicates that a victim does not have to prove revictimization in any court or tribunal in this province, and yet your legislation clearly sets out that these individuals have to go in and prove that they suffered emotional harm in order to protect their privacy rights if they're a victim of incest, rape or sexual assault.

So, Premier, I ask you once again: Will you not examine more clearly these amendments, which Cavoukian and the Conservative Party have indicated would not offend the charter and would protect the rights of this unique class of victims in this province from your bill?

**Hon. Mr. Bryant:** I say to the member, I believe that the Premier and the minister have answered your question as to the substance of the bill. I believe the Premier and the minister have responded to your questions with respect to the privacy commissioner's comments.

You're asking a question about the Constitution, and I'm giving you an answer. This is a bill that was reviewed closely by the constitutional law branch and myself. I am saying to the member that you are debating the merits of it and this is the place to debate that, but if you're asking us for the constitutional status of this bill, this bill is consistent with the Charter of Rights and Freedoms—period.

1530

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Michael Prue (Beaches–East York):** My question is to the Minister of Community and Social Services. Randy Mogridge drowned last October after wandering away from his home. He was the 10th resident of the Oaklands Regional Centre to die in the past four years. Ontario's chief coroner conducted a review. The findings, released last week, point to a tragic history of provincial underfunding that compromised his care, and patient care in that facility. They also pointed to an uncertain future for the residents, families and staff of that centre.

Madam Minister, the coroner released 11 recommendations on how to prevent these unwarranted deaths in the future. Are you prepared to implement these recommendations immediately? Or do others, particularly vulnerable people, have to die?

**Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues):** We were very happy to receive the report the coroner tabled. He took an extra eight weeks or so, in fact, to do even further investigation on the historical deaths at Oaklands. I'm also very pleased to see that the recommendations he tabled were very consistent with the internal reviews we had done as a ministry immediately last fall and, as well, by our third party which we sent into Oaklands. We still have a supervisor on site there, as this member may know. We tabled a number of recommendations, most of which are completed, including the training and retraining of all the staff on site.

The member opposite knows that this is a serious issue when it's dealing with the safety and security of our most vulnerable citizens in Ontario. We are very aware of the recommendations the coroner has tabled. We are looking at those now. This House is probably very aware that we will be moving forward to implement all of them.

**Mr. Prue:** Madam Minister, I am very aware, as you are, but the question is one of funding. Last week's coroner's review commends the Oaklands staff as "a group of dedicated professionals who provide care for the residents." But it slams your ministry for underfunding and understaffing at that very facility. Among other things, the report recommends full-time, on-site medical care for the vulnerable population. Currently, if you know, Madam Minister, you are doing just the opposite by closing down the three regional centres that offer on-site medical care: Huronia, Rideau and Southwestern.

Quite frankly, you need to make a decision. What is your plan for the Oaklands Regional Centre and what is your plan for the other three regional centres? Will you implement the coroner's 11 recommendations, or do more vulnerable people need to die?

**Hon. Ms. Papatello:** Number one, I hope this member might recall last week's announcement in this House where we announced a \$41-million investment in specialized services for people of especially high needs who are living in our communities. Number two, he is probably also aware that we have already announced our responses to our third-party reviews at Oaklands, where we've invested an additional \$1.5 million at this site. Much of that money went for ongoing staffing. Some of it was for one-time upgrades to a new security system. We brought in a training expert on security. We're training right across the board. We have also done a safety audit across all our developmental residential services across the province so that we can be certain of exactly the scenarios out there.

I'm happy to report that out of 211 residential facilities, 206 have protocols in place and we are working on the remaining five. We continue to work on this area and we continue to invest in this—

**The Speaker (Hon. Alvin Curling):** Thank you.

#### STRATFORD FESTIVAL FESTIVAL DE STRATFORD

**Mr. John Wilkinson (Perth–Middlesex):** My question today is for the Minister of Tourism and Recreation. Yesterday I had the pleasure of attending in my riding of Perth–Middlesex the opening night production of Stratford's 53rd season, along with you and the Minister of Cultural and francophone affairs.

Ce festival est très important pour la ville de Stratford et ses environs. Cet investissement de notre gouvernement aidera le festival à fleurir et à fournir des bénéfices économiques à ma circonscription. Il est important de reconnaître la contribution du théâtre et des arts à la vie sociale et économique des communautés de l'Ontario. Pouvez-vous nous dire ce que cet investissement de 200 000 \$ représente pour ma communauté?

**Hon. James J. Bradley (Minister of Tourism and Recreation):** Merci pour votre question.

I'd like to thank the member for Perth–Middlesex for the question, for those who didn't understand my first statement. The member has really been a tireless advocate for the Stratford Festival and has pointed out on many occasions the tremendous effect it has on not only his local economy but the provincial economy.

Last night's production of *The Tempest* was truly spectacular. To ensure that many more people get to see this performance and other wonderful Stratford presentations, my ministry will be providing \$200,000 to assist in marketing the festival's ticket sales campaign, aimed at increasing visitors from the United States and from other parts of Canada. This investment is just



another example of this government's commitment to our cultural tourism attractions and this wonderful province. I want to say that cultural tourism in this province represents over \$4 billion in economic activity.

I recommend to all the people who are watching today, Mr. Speaker, including you, that you visit Stratford and see all the wonderful productions that are going to be on. This is top-notch, good for the economy and good for the culture of this province. I say, "Vive Stratford."

## PETITIONS

### RIGHT TO LIFE

**Mr. Frank Klees (Oak Ridges):** This petition is to the Legislature of Ontario.

"Whereas the right to life is guaranteed unless limits to it are prescribed by law (Canadian Charter of Rights and Freedoms, sections 7 and 1);

"Whereas the Canadian Charter of Rights and Freedoms applies to the government of Ontario, the Legislature of Ontario and all matters within the authority of the Legislature of Ontario, (section 32.1), including law enforcement and policing;

"Whereas the right to live is limitless in that neither case law nor statute law prescribes limits to the right of life;

"Whereas on August 25, 2004, an emergency task force officer from the Toronto Police Service was authorized to shoot, shot and killed Mr. Brookes on Front Street, in front of Union Station, in Toronto, Ontario;

"Whereas honouring the guarantee of the rights and freedoms of the Canadian Charter of Rights and Freedoms is in the public interest;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To call on the government of Ontario to instruct police services in the province of Ontario not to authorize shoot-to-kill instructions until and unless suitable limitations to the right to life are prescribed by law."

### LANDFILL

**Mr. Ernie Parsons (Prince Edward-Hastings):** "To the Legislative Assembly of Ontario:

"Whereas Waste Management of Canada Corp., formerly Canadian Waste Services, has proposed a 25-year, 18-million-tonne expansion of the existing Richmond landfill site in the town of greater Napanee to receive waste from all Ontario service areas;

"Whereas the town of Greater Napanee has passed a resolution opposing the proposed expansion;

"Whereas the scoped environmental assessment (EA) being undertaken by the proponent does not examine whether there is a demonstrable need for the expansion, does not consider reasonable alternatives to the

expansion (e.g. reduce, reuse or recycle) and does not require the proponent to provide participant funding to local residents to facilitate their involvement in the EA process;

"Whereas the Ontario government has recently proposed a provincial target of diverting 60% of waste from disposal by 2008;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately reform Ontario's EA process to ensure that:

"(a) proposals to establish or expand landfills are subject to full and rigorous EA studies that examine need and alternatives;

"(b) unwilling host communities are not forced to accept locally unwanted landfill proposals; and

"(c) proponents are required to provide sufficient monetary resources to citizens to facilitate meaningful public participation in the EA process."

I'm pleased to add my signature to this petition.

1540

### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** "Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario; and

"Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community; and

"Whereas closing HRC will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of HRC to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I'm pleased to sign this and present it to Paige to present to the table.

### TEACHER QUALIFICATION

**Mr. Rosario Marchese (Trinity-Spadina):** "Whereas the 2005 graduates of publicly funded faculties of education in the province of Ontario will have met all the requirements of the individual faculties; and

"Whereas these same publicly funded faculties of education in the province of Ontario have all met the stringent standards as outlined and controlled by the Ontario College of Teachers; and

"Whereas the 2005 graduates of the publicly funded faculties of education in the province of Ontario will be placed at a severe disadvantage if they are given a provisional certificate of qualification by the Ontario College of Teachers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To make the changes necessary to the Education Act and/or its regulations in order to grant the 2005 graduates of the publicly funded faculties of education in the province of Ontario a permanent certificate of qualification, or

"To deem that the bachelor of education degree granted to the 2005 graduates of the publicly funded faculties of education in the province of Ontario deems them to have completed the equivalent of the Ontario teacher qualification test, thus allowing the Ontario College of Teachers to grant these same graduates a permanent certificate of qualification."

There are thousands of names on these petitions. I agree with them, and I will sign my name to them.

#### WEARING OF HELMETS

**Mrs. Carol Mitchell (Huron-Bruce):** I'm pleased to present a petition to swiftly pass Bill 129 to make it mandatory for all individuals to wear a certified helmet when cycling, inline skating, skateboarding or using any other type of muscular-powered vehicle on Ontario roadways. I'm pleased to affix my signature to this petition.

#### RIGHT TO LIFE

**Mr. Frank Klees (Oak Ridges):** This petition is to the Legislature of Ontario:

"Whereas the right to life is guaranteed unless limits to it are prescribed by law (Canadian Charter of Rights and Freedoms, sections 7 and 1);

"Whereas the Canadian Charter of Rights and Freedoms applies to the government of Ontario, the Legislature of Ontario and all matters within the authority of the Legislature of Ontario, (section 32.1), including public education;

"Whereas the right to live is limitless in that neither case law nor statute law prescribes limits to the right to life;

"Whereas school boards in Ontario present educational materials to their students that purposely advocate use of services that limit the right the life (e.g. audiovisual material prompting abortion);

"Whereas honouring the guarantee of the rights and freedoms of the Canadian Charter of Rights and Freedoms is in the public interest;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To call on the government of Ontario to require, in the public interest, the school boards in Ontario to present materials on the life issues which respect the state of the law and to cease promoting practices that limit the right to life when no limits to the right to life are prescribed by law."

#### CREDIT VALLEY HOSPITAL

**Mr. Bob Delaney (Mississauga West):** I have a petition here from Eleanor Stoch of Pheasant Run in Erin Mills, Aurelia Chiru of Dalebrook Crescent in the Middlebury area and the Straumers family on Williams Street in Streetsville in Mississauga. It pertains to the Credit Valley Hospital capital improvements campaign, and it reads as follows:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fund-raising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure that the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

This is my home hospital. I wholeheartedly support this petition. I affix my signature on it and I'll ask Alecia to carry it for me.

#### FREDERICK BANTING HOMESTEAD

**Mr. Jim Wilson (Simcoe-Grey):** "To the Legislative Assembly of Ontario:

"Whereas Sir Frederick Banting was the man who discovered insulin and was Canada's first Nobel Prize recipient; and



"Whereas this great Canadian's original homestead, located in the town of New Tecumseth, is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

"Whereas the town of New Tecumseth, under the leadership of Mayor Mike MacEachern and former Mayor Larry Keogh, has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting"—

*Interjection.*

**Mr. Wilson:** No, it's Alliston, but thank you. That's the first Liberal to take any interest in this bloody issue, every time I raise it.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Culture and the Liberal government step in to ensure that the Banting homestead is kept in good repair and preserved for generations to come."

Obviously, I endorse that petition and I've signed it.

#### ANTI-SMOKING LEGISLATION

**Mr. Dave Levac (Brant):** I'm definitely interested in Sir Banting's house. It's good.

A petition to the Ontario Legislative Assembly regarding a ban on smoking in public places in Ontario:

"We, the undersigned, petition the Ontario Legislative Assembly as follows:

"Whereas some 16,000 Ontarians each year die of tobacco-related causes; and

"Whereas the inhalation of direct and second-hand tobacco smoke both lead to health hazards that can and do cause preventable death; and

"Whereas more than four out of every five Ontarians do not smoke, and this large majority desires that enclosed public places in Ontario be smoke-free at all times; and

"Whereas preventing the sale of tobacco products, especially to young people, and banning the use of tobacco products in public and gathering places of all types will lower the incidence of smoking among Ontarians and decrease preventable deaths;

"Be it therefore resolved that the Ontario Legislative Assembly enact Bill 164, and that the Ontario Ministry of Health and Long-Term Care aggressively implement measures to restrict the sale and supply of tobacco to those under 25; that the display of tobacco products in retail settings be banned; that smoking be banned in enclosed public places or in workplaces, and banned on or near the grounds of public and private schools, hospitals and day nurseries; that designated smoking areas or rooms in public places be banned, and that penalties for violations of smoking laws be substantially increased."

I sign my name to this petition and hand it over to Sarah.

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** "To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I'm pleased to sign my name to this.

1550

#### ANTI-SMOKING LEGISLATION

**Mr. Bob Delaney (Mississauga West):** I have a petition here from Kevin Marr of Miller's Grove in Meadowvale and Jan Gerrard of Ladyburn Crescent in Lisgar. It's a petition to the Ontario Legislative Assembly to ban smoking in public places in Ontario, and it reads as follows:

"Whereas some 16,000 Ontarians each year die of tobacco-related causes; and

"Whereas the inhalation of direct and second-hand tobacco smoke both lead to health hazards that can and do cause preventable death; and

"Whereas more than four out of every five Ontarians do not smoke, and this large majority desires that enclosed public places in Ontario be smoke-free at all times; and

"Whereas preventing the sale of tobacco products, especially to young people, and banning the use of tobacco products in public and gathering places of all types will lower the incidence of smoking among Ontarians, and decrease preventable deaths;

"Be it therefore resolved that the Ontario Legislative Assembly enact Bill 164, and that the Ontario Ministry of Health and Long-Term Care aggressively implement measures to restrict the sale and supply of tobacco to those under 25; that the display of tobacco products in

retail settings be banned; that smoking be banned in enclosed public places or in workplaces, and banned on or near the grounds of public and private schools, hospitals and day nurseries; that designated smoking areas or rooms in public places be banned, and that penalties for violations of smoking laws be substantially increased."

I wholeheartedly endorse this petition, and I'm going to ask page Paige to carry it for me.

### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** "Save Huronia Regional Centre, Home to People with Developmental Disabilities!

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

It's signed by many people in my riding who have children within that centre.

### ORDERS OF THE DAY

#### REGIONAL MUNICIPALITY OF PEEL ACT, 2005 LOI DE 2005 SUR LA MUNICIPALITÉ RÉGIONALE DE PEEL

Mr. Gerretsen moved third reading of the following bill:

Bill 186, An Act respecting the composition of the council of The Regional Municipality of Peel / Projet de loi 186, Loi traitant de la composition du conseil de la municipalité régionale de Peel.

**The Acting Speaker (Mr. Ted Arnott):** I recognize the Minister of Municipal Affairs and Housing for the leadoff speech for the government.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I will be sharing my time with my parliamentary assistant, the member from Scarborough Centre.

I'm very pleased this afternoon to speak about Bill 186, legislation which, if passed, will bring stability and fair representation to the region of Peel. If passed, the Regional Municipality of Peel Act will provide for a fairer and more balanced approach to the composition of Peel council. It will address concerns about council representation and more realistically reflect the current population distribution of the region of Peel. It will move the province of Ontario forward in our government's firm commitment to strong and prosperous communities in every corner of this province.

Our aim is to foster local governments that are responsive, responsible, self-reliant, and accountable. We have taken an unprecedented number of steps in order to fulfill this legacy, and Bill 186 will help Peel region become an even stronger and more efficient form of government than it has historically been.

If passed, this legislation will provide Peel regional council with more balanced representation of the current population distribution of the region while ensuring at the same time that no single lower-tier municipality has voting control of council. Under the proposed legislation, the city of Brampton will gain one additional seat on the regional council for a total of seven, the city of Mississauga will gain two additional seats for a total of 12, and Caledon will continue to have five seats, so let me state once again that no one municipal council will have the majority of the votes at the regional level. There has been much debate about whether or not one municipality will, in fact, have a majority of votes or seats at the council table. That is simply not correct. Mississauga will have 12 seats, Brampton will have seven seats, and Caledon will have five seats, for a total of 24 seats. The chair of the regional council would also have one vote, after having been selected by the other 24 members, for a total of 25 votes.

This proposed change would adjust the representation on the regional council in a fair and balanced manner, and it takes into account the current population rather than being based on future population growth, which is simply not the case anywhere in Ontario at this time, and it is critical to the continuing strength and prosperity of Peel region. The bill will provide certainty and resolution on governance issues that the lower-tier municipalities in Peel region require. Resolving this matter will allow the Peel regional council to resume its leadership role in providing regional services, and it will allow the region to turn its full attention to providing effective services to the citizens of Peel.

Through the standing committee process, certain amendments have been made to Bill 186 that I would like to relay to the House. We have consulted, we have listened, we have made meaningful amendments, and by



the introduction of this bill, we have acted. The standing committee supported the opposition motion that the clerk preside at the first meeting until a new chair is chosen.

*Interjections.*

**Hon. Mr. Gerretsen:** Well, it shows you that we have listened to the very meaningful suggestions that have been made by the opposition. I know that the opposition party, when they were in power, couldn't possibly have conceived of ever having granted an opposition motion that made sense and that, in effect, enhanced a piece of legislation, but we have done that in this case, and we're proud of having done so. We thank the opposition for bringing forward this very meaningful amendment to strengthen the legislation.

Government motions were also approved at the standing committee level to clarify, one, that the authority to appoint the chair of Peel region will rest solely with the locally elected members of the regional council; in other words, that the current chair cannot vote to appoint the successor chair, and that the chair is the head of council, and that the term of the chair is three years and will continue until a successor is appointed. The second change we made is that following the 2006 regular election that will take place in November next year, Peel region will have the same flexibility that is available to other upper-tier councils to change the term of the head of council to either a one-year or a three-year term.

1600

Third, another change we have made is that the Minister of Municipal Affairs and Housing will have the authority to make regulations that affect the conduct of the regular election in 2006. This includes elections to a school board that extends to an area outside of Peel; for instance, the Dufferin-Peel Catholic District School Board. This last amendment is in response to input that the standing committee heard on May 6, 2005, at its hearings in Brampton and Mississauga. The Dufferin-Peel Catholic District School Board sought clarification that the 2006 school board elections would be harmonized between areas inside and outside of Peel region. In this amendment, we are addressing that particular issue and concern.

With the support of this Legislature, Bill 186 will provide a fair solution to the challenges that Peel faces on an ongoing basis.

Our government firmly believes that local issues are best resolved locally.

**The Acting Speaker:** Would the minister please take his seat for a second.

I would ask the members of the opposition who are having such a good time over there to please quieten down a bit. I can't hear the minister.

*Interjection.*

**The Acting Speaker:** Some of government members as well.

I return to the Minister of Municipal Affairs and Housing.

**Hon. Mr. Gerretsen:** Thank you, Speaker. This is a very important bill and I appreciate your calling the

members to order so they can all listen to this very important bill and the consequences it has for all of us.

We have demonstrated this commitment time after time and have proved that we respect municipalities and value their input. From our greenbelt plan to our current review of the Municipal Act and to our relationship with the Association of Municipalities of Ontario as well as the city of Toronto, we have illustrated that municipal perspectives are very important to this government. We have worked together in partnership with municipalities across this province to ensure local efficiency and accountability, local strength and prosperity.

*Interjection.*

**Hon. Mr. Gerretsen:** I know the member opposite is very much interested in this because it's something that we simply didn't experience with the last government for the eight years they were in office. They did everything they could to damage the relationship that existed between the province and its municipalities at that time.

In this particular case, and given the challenges that local representatives had in reaching agreement, our government became involved in a difficult local issue in the interest of helping Peel region move forward. We worked to facilitate agreement in many ways. We held numerous discussions with representatives from across Peel region, including the mayors, who are very well known to me, and I am very well known to them. We appointed a facilitator to try to help parties reach agreement. We made every effort to develop a solution at the local level. When it became clear that consensus could not be reached, we introduced Bill 186 to help ensure Peel region could continue to effectively grow and prosper.

I am confident that this bill represents an excellent solution to Peel's challenges. I am also confident that it will not only bring stability and certainty to Peel region, but will enable regional council to resume its leadership role in providing services for the benefit of all the citizens of Peel.

Mr. Speaker, you and I know that Peel region has for many decades been one of Ontario's most effective and efficient regions. It was the first municipality in Canada to achieve the silver level in the National Quality Institute's award for excellence, recognizing Peel as an outstanding public sector organization. It has always embraced continuous improvement that adds value to the community. Our government is proud to support Peel region as it continues to deliver these excellent services in the years to come.

I want to thank all of the local representatives for their commitment to moving forward, from the three mayors to their councils and all of the staff people involved. Our government knows that each of these individuals is highly dedicated to serving their community. We acknowledge their hard work in addressing the challenges in Peel region, and we look forward to continuing to work with them and with all Ontario municipalities in our commitment to building stronger, more prosperous communities across this province. To support stability

and strong communities in Peel region, I ask members to join me in voting for Bill 186.

Let me finish my part of this discussion by quoting the Leader of the Opposition, John Tory himself, when he said the following at an all-candidates meeting on March 8, 2005: "There is a need to redefine these governments as time goes on, as populations change and communities change." We couldn't agree more with the Leader of the Opposition. That's why we ask the members of this House to support this bill in a unanimous way so that we can support the people and the councils of Peel in the tremendous work they have done and will do in the future.

**Mr. Brad Duguid (Scarborough Centre):** I want to begin by thanking my colleagues from Brampton and Mississauga who have been very much a part of the discussions around this bill. I want to thank as well the councillors from Caledon, Mississauga and Brampton and the three strong mayors from those cities for their input and participation in this decision and in the debate that's gone on over the last year or so.

We have three strong mayors from those areas. They've expressed their views very clearly to us. We've listened very carefully to all who have expressed their views in this debate, and we have come forward with legislation that is fair and balanced, that ensures a fair level of representation by population, and, as the minister said, also ensures a fair balance on Peel regional council. It ensures that no one city will be able to dominate the workings of Peel regional council. It's very important that we strike that balance so that they can work together. It will ensure that all regional councillors will take into consideration the views of the people of Peel and place that ahead of the perhaps parochial views of those from Mississauga, Caledon or Brampton independently. I think that's very important.

Unfortunately, the Leader of the Opposition, John Tory, just simply didn't get it. Leadership is about taking a stand and defining what you would do. It's about leading rather than fence-sitting. Mr. Tory and the opposition have refused to define what they would do. The Leader of the Opposition showed up for a little while at the hearings in Brampton, put on a bit of a show and left, but he didn't have the courage to show up in Mississauga. That was disappointing, I think, to all of us, and certainly was taken as insult by people of Mississauga who felt their views were just as important to be heard as the views of the people of Brampton and Caledon. Unfortunately, the Leader of Opposition didn't feel that way.

I look to Hazel McCallion, and I agree with her in the statement she made when she said that the Leader of the Opposition did not do his homework when it comes to this particular issue. I agree with that. I'm hoping he's done his homework since. I'm hoping the opposition will get up and agree and support this bill, which does provide balance, which does provide fairness. I have a feeling that won't be the case. They have been trying to have it both ways throughout this process. The critic moved a motion during the hearings that would have thrown off

the balance of Peel regional council—they were entitled to take that position—in favour of Brampton and Caledon. That motion wasn't supported, thankfully, so the balance was maintained, but then they also supported a motion at committee that would have effectively taken Caledon from the five representatives they have now down to one or two, which I thought was trying to play both sides. I have some difficulties with that. Clearly the Leader of the Opposition has to do his homework on this one.

We have taken a stand in favour of balance and fairness, and we want to know now where the opposition stands. Do they stand in favour of balance and fairness, or are they trying to sit on the fence and have it both ways? We will find out soon. I hope they have been able to see, through the hearings, that the legislation before them represents balance and fairness and is something worthy of support.

1610

**The Acting Speaker:** Questions and comments?

**Mr. Garfield Dunlop (Simcoe North):** I'm glad to stand this afternoon and speak for a few moments on the comments by the minister and the member from Scarborough Centre in their 15-minute leadoff speech on third reading. Again, this is how interested this government is in debate in this House. When you think that on third reading of a bill that is so important to the folks in the city of Brampton, the city of Mississauga and the town of Caledon that they're going to guarantee them 15 minutes of debate on third reading—I think that's pathetic. Why are we not debating bills in this House, actually taking some time and getting all the reasons?

What I would really like to know from the minister is—and they can wrap up in their comments—are the council members, the staff and the mayors of the town of Caledon and the city of Brampton happy with this bill in its current form? I'd like the minister or the member from Scarborough Centre to answer that in their comments when they sum up. Are they happy with the bill in its current form?

My understanding is—and maybe when my colleague, the critic, stands up in a few moments—that there's not a lot of happiness with this particular piece of legislation and those two bills. If the minister can guarantee that those councils are all happy with this piece of legislation, then I'd be happy to support it. But if they're not, and if he's not willing to stand and say that, then I'm not going to support this bill. I don't think it's fair.

I come from a municipal background. I've seen enough interference from the provincial government in the past, and I think that's what we've seen in this particular case. It's a bill that lacks consultation with the major players who are affected. I won't be supporting it unless I can be guaranteed that that consultation has taken place and that the minister is going to stand in this House and say so.

**Mr. Michael Prue (Beaches—East York):** I listened to both the minister and the member from Scarborough Centre, and I have to tell you that I have just a little bit of



a problem because both of them talked about balance and fairness. Yet the balance and fairness, if it exists at all in this very sorry situation, isn't what the minister or his staff have invented. The balance and fairness were handed to them on a platter by Justice George Adams, who came down with a very balanced and fair approach. After having talked to the ministers, after having talked to the people of the regions, after having listened to all of the cogent arguments that were presented, he came out with recommendations which you have supported in part, but you've left out the main recommendation that has caused all of the consternation, all of the hurt, all of the anxiety, all of the problems that exist now between those three wonderful municipalities.

Justice Adams told you what you had to do. You had to increase the membership in a way that you chose not to. You had to increase the membership of Brampton to recognize what is going to happen to that municipality in the very short and near future. Justice Adams looked at the same reports you looked at. He looked at the reports showing that Brampton is the fastest-growing municipality in Canada. He knows, and you know, that within a very short period of time—a year or two or three years—the population is going to outstrip the measly one member you're giving them today. He knows, and you know, that the solution you are proffering to us today is not a solution that's good for the long term. He knew, and you should know, that what you're suggesting here in this bill is totally wrong. Certainly your members from Brampton, the three of them who are going to vote against this legislation, know that you have no clue about what's taking place here and they are going to do the right thing, even though you won't.

**Mr. Bob Delaney (Mississauga West):** With Bill 186 getting closer—one hopes—to final passage and proclamation, as a resident of Lisgar, I'm going to get myself a new city councillor. In anticipation that Bill 186 will go forward, the city of Mississauga has shown the proposed new ward 10 and ward 11 boundaries.

Mississauga continues to grow by some 20,000 people each year. By the pace at which the foundations are being excavated in new subdivisions, especially in neighbourhoods like Churchill South, it seems like all of them are moving into the riding that I represent of Mississauga West, and I welcome them. So much for unfounded assertions about Mississauga being "built out."

Bill 186 recognizes this continuing vigorous growth in our city of Mississauga with its population of 680,000, which is some 62% of Peel region's total population, contributing about 66% of Peel region's total revenue, and now going from 48% to 50% of Peel region's total representation on Peel council.

Last week, I hosted my half-hour Politically Speaking segment on Rogers Cable 10. Ward 9 councillor Pat Saito and I discussed the implications of the change in representation on Peel regional council. Was there a firestorm Peel-wide? Did the phone lines light up? No, not a call. Bill 186 makes good sense. It's about good government. People know that. When we changed topics, the calls came in quickly.

This is a good bill. This makes a governance structure that serves three great communities. It makes it work better. I say, let's get on with it.

**Mr. Rosario Marchese (Trinity-Spadina):** Judge Adams evidently made a report and I suspect Judge Adams's report cost a few bucks. He is a bright individual, and that's why you chose him. My assumption is that you chose him on the basis that he would produce a recommendation and a conclusion you would want to support.

Malheureusement, you didn't accept his compromise recommendation, and I find it interesting that you would then say you got involved to achieve balance. This, on the basis that Mayor Susan Fennell of Brampton said the following: "This Premier gave me his word there would be no restructuring in Peel.... This Premier gave me his word that governance was not on his government's agenda. I want to believe that this Premier's word is gold, not coal." But clearly that's not the case. You got involved after paying Judge Adams a fair amount of money—

**Mr. Shafiq Qaadri (Etobicoke North):** Pecunia.

**Mr. Marchese:** —pecunia—to come up with a reasonable conclusion, one that you presumably trusted him to do, and in the end you decide to change the recommendation and produce your own, to in effect interfere politically in ways that have caused a structure, in my opinion, to become very dysfunctional. In fact, you're going to appoint somebody who will have tremendous power to decide right or wrong on the basis of what and who knows who. You are giving that individual a whole heap of power, more power than the mayor of Toronto, one of the bigger—

**Hon. Mr. Gerretsen:** No, that's impossible.

**Mr. Marchese:** Oh, yes. This one individual is going to break the tie on so many issues. This individual is going to have a whole lot of power to decide the future of municipal governance in that municipality. You have interfered in ways that are going to create problems and dysfunctionism.

**The Acting Speaker:** The government has two minutes to reply.

**Hon. Mr. Gerretsen:** I thank all the members for their comments; I understand where they're coming from. But let's get a couple of things straight. Eight out of the nine recommendations included in Judge Adams's report we totally accepted and endorsed.

The only one we cannot agree with is this notion that he recommended that, in effect, council seats be opened up for the city of Brampton for projected population growth. In no Ontario municipality do we provide for future population growth in members of council now. It may very well be that if Brampton grows by 60,000 people over the next couple of years, they will need an additional member or that there has to be some further redefining or rearranging of the number of seats on the council.

Secondly, there is no restructuring taking place. The same structure of government that has been there since

Peel region started is still there today. The only thing we did was add two seats for Mississauga and one for Brampton, but the structure itself stays in place.

We have consulted. We asked the parties to get together, and they did over a three-month period of time, to work things out. When that became impossible, as a result of a number of meetings I had on an individual basis with the mayor, we then decided to appoint a facilitator in Judge Adams. We appreciate his report. We accepted his report, except for the one recommendation that we simply felt was not right: to basically give extra seats for a population base that didn't exist as yet.

Peel is a great region. It will remain a great region and become an even greater region, we believe, with the implementation of Bill 186.

**The Acting Speaker:** Further debate?

1620

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to rise in the chamber to respond on third reading of Bill 186, to discuss my personal viewpoints on the bill and the procedure with which it was brought forward in the assembly for first reading, to committee and then here for third reading today, and to offer up some constructive criticism on behalf of the official opposition.

Sadly, a number of very constructive and helpful amendments—in fact, really all but one relatively minor amendment—were voted down by the government members of the committee, but I do hope the minister, who is here listening raptly to my words, will hear from the official opposition and from my colleague the hard-working critic from Beaches-East York some very solid proposals on the bill, and we do hope that you'll withdraw it from third reading and go back to committee and fix up this bill.

If you're truly committed to ensuring that Peel region functions effectively, can continue to provide good services of the tax dollar for local roads, for police or public health services, for example, then you will withdraw this misguided bill that, in fact, is going to be harmful to Peel region and harmful to services that taxpayers who live in Mississauga, Brampton or Caledon depend upon.

We just heard from the minister and his parliamentary assistant, and we had a round of discussion from members of the assembly on those comments. The minister made a number of arguments in his two-minute summation that reflected the general arguments that he has made through this bill. First he says that—I think he used the term “endorsed—you've endorsed eight out of the nine recommendations of Justice Adams's report. Well, the fact of the matter is, aside from additional seats for Mississauga—I don't even think that's directly the same. Maybe maintaining Caledon's seats is the only thing in this Bill 186 that you've effectively taken from Justice Adams's report.

You'll have a chance to respond to my comments, but I challenge you to show me where the other seven out of eight that you mentioned that you've endorsed are contained in the bill. I'll say to my colleague, the munic-

pal affairs critic, who followed the bill very, very closely—he has a better understanding of this bill than I do, I'm sure—do you recall the other seven or eight?

*Interjection.*

**Mr. Hudak:** No, I do not believe—if you're making the point that Justice Adams made nine recommendations and you've said that you've accepted or in fact endorsed—that was the word you used; very strong language—eight out of the nine, but seven of them aren't in the bill. If I'm wrong, please rise and point out where those other seven items are in the bill, but they're not there. Nowhere have you given any direction that they be embraced or endorsed. There has been no government funding put toward the enactment of those other seven recommendations. There has been no action whatsoever on any of those recommendations from Justice Adams's report.

We hear the argument that the government has enacted eight out of nine of Justice Adams's report. Well, that simply doesn't meet with the facts. It's not contained in the bill, nor have we seen any action transpire since Justice Adams brought his report forward. I challenge the members opposite to show me if that is the case. If I'm wrong, I'll stand corrected, but I have not seen action on the other recommendations that the minister says they have endorsed.

I think they've actually used some very soft language to say, “We'll ask municipalities to work together to resolve a number of these issues,” which is interesting, but I wonder why they didn't ask municipalities to work together to resolve the issue of the number of seats on Peel regional council.

**Hon. Mr. Gerretsen:** We did.

**Mr. Hudak:** No. You brought forward Bill 186. You didn't ask them.

**Hon. Mr. Gerretsen:** We did, for three months last year.

**Mr. Hudak:** The minister says that there was a three-month period where the three mayors and the regional chair were supposed to work together to find a solution, but my recollection is that there was not even a minute of debate at Peel regional council regarding the structure of Peel region. In fact, the solution—I don't know whether to call it the John Gerretsen solution, the Dalton McGuinty solution or the Gerald Butts solution. I am not sure where it all came from.

I am not sure who came up with two seats for Mississauga and one for Brampton, because as far as I know, that was not brought forward by any of the three constituent municipalities. It was never mentioned for debate at Peel regional council. I suspect it was the minister, the Premier himself or one of their backroom advisers who came up with the solution, which was alien to the debate to date and certainly far from what Justice Adams had brought forward. If you can show me where this solution was brought forward by somebody from the area, then I will stand corrected, but I have yet to see any evidence that this solution of two seats for Mississauga and one for Brampton came from Peel region. It was imposed by the



Dalton McGuinty government, I suggest, probably by one of their backroom advisers, as some sort of grand compromise, to try to make political appeasement instead of making good policy for a change in regional council.

Again, I would really like to see if the government, as the minister just said, is endorsing eight out of nine of Justice Adams's recommendations, to see how they have actually been carried forward since Justice Adams made that report and submitted it to the minister I think as far back as December. I bet there has been no progress whatsoever. In fact, as I said, it's sort of soft language that will ask them to work together, instead of actually giving support or really endorsing it, as the minister claims. I think that saying eight out of nine is simply a public relations exercise, and I challenge the government that they have no commitment whatever to fulfilling any of the recommendations remaining from Justice Adams's report. So we will see, but we have seen no action.

In this ministry, the Ministry of Municipal Affairs and Housing, there was some commitment to bring forward the greenbelt advisory committee. It's now been a number of months since that bill was debated. We've talked about the greenbelt advisory committee—

**Hon. Mr. Gerretsen:** Don't hold your breath.

**Mr. Hudak:** He said don't hold my breath. You mean hold my breath, I think. I'm not sure what you mean. The minister gives an indication that the greenbelt advisory committee hopefully will be coming forward shortly, and I'm encouraged to hear that, but you can see why we have some skepticism. It has taken a long time to bring forward an important part of Bill 135, and while the minister says he endorses Justice Adams's report, I'm skeptical that we'll actually see action on what Justice Adams has brought forward. I think it will be yet another broken promise in the pantheon of broken promises by the Dalton McGuinty government.

While the minister is here—he made a comment on the greenbelt advisory committee—I hope he will incorporate aspects of Bill 200, which I brought forward, that said that at least half of the members on the greenbelt advisory committee would come from the agricultural community. I hope the minister will carry through and have at least half of the members on the greenbelt advisory committee, as recommended by the OFA, and other farming groups, because of the significant impact on the agricultural sector caused by the greenbelt bill.

We will see if they are as good as their word on following through on Justice Adams. I suspect they won't be—I'll be glad to be proven wrong—just as we have not seen action on the greenbelt advisory committee. It's terrible that it hasn't already come forward and it will be an even greater crime if we have further delays.

We just have to look at the case of Mr. Kugler in Niagara-on-the-Lake, who wants to put 22 acres of fallow land into grape production and is prevented by aspects of the Greenbelt Act from actually doing so. The greenbelt advisory committee, I would suggest, could help to solve those problems and help to do what the government says this bill is supposed to do and support agriculture.

On that topic, there are two other amendments that I brought forward to Bill 135—I know the parliamentary assistant is here, among others who care about this bill, and my friend from Pickering–Ajax–Uxbridge will want to participate in the debate as well—to have a Holland Marsh Greenbelt Advisory Committee and one for the Niagara Peninsula as well. It came forward quite strongly through the committee process to have these committees, at least half of which should come from the agricultural community. In fact, Niagara is setting up its own committee. Kudos to Chair Peter Partington and those involved in the agricultural task force for doing so. It seems very sensible to me that the minister would use the same committee that Niagara is as its advisory committee. But I digress.

**1630**

I was on the point of Justice Adams's report and why I am skeptical that they will not actually come forward and endorse the other points of Adams that are not in the legislation, as the minister claims. I think it will be another one on that list of broken promises. Honestly, it's extremely hard to remember how many are on that list of broken promises, but I think it now enumerates somewhere in the 40s.

The Minister of Municipal Affairs and Housing also said in his defence of his statement that they could rearrange the seats if Brampton grows. Well, that's a bit of a fallacious argument, because nothing in the bill allows it to be reopened if Brampton grows. Instead, it depends on the classical aspect of the Municipal Act—I forget the section—that would need a triple majority to reopen the act and examine the number of seats in Mississauga, Brampton and Caledon.

It seems a strange argument and a false argument for the minister to make, because if it's good for the goose, it's good for the gander. If the minister felt that the Municipal Act and the triple majority were appropriate for examining Peel's seats based on population, then you'd think it would be good and Bill 186 would not be necessary. The triple majority, in the Municipal Act, currently exists. So if the minister believed that that was the best vehicle to solve seat distribution, then the minister would use it and would have no reason to bring forward Bill 186. Instead—and I would charge for very capital-P political reasons, not good policy reasons—they brought in Bill 186, and then they say to Brampton or to Caledon that if their growth changes and they need more seats, "Well, you can rely on the old saw, the triple majority, under the Municipal Act."

So what's good for the goose ain't good for the gander any more, according to Minister Gerretsen and Dalton McGuinty's world, on Peel restructuring. I think people find it very difficult to understand those inconsistencies: Why did you get involved with Bill 186, and on the other hand you'll leave it up to the Municipal Act to solve the issue if the population changes?

To her credit, even Mississauga Mayor McCallion, when she made her presentation on Bill 186, noted that she did not want Brampton to get into the same situation

that she perceived Mississauga has been in for a long period of time. I think the mayor would say that if Brampton's population grew quickly relative to Mississauga's, then they too should have the right to additional seats on council. So even one of the strong proponents of the bill made the argument that there should be some way for seats to be changed if Brampton's population grows relative to Mississauga's.

This notion in which the minister says that there is a possibility to change the seats if Brampton grows is belied by his action on this bill and the fact that the parliamentary assistant and the members of the committee voted down every one of our amendments and those amendments of the third party to actually allow for some reopening clause if the populations change significantly. So it's really an argument that does not meet with the facts or with the minister's actions.

The minister also says that this is not restructuring. I guess this is their strange way of walking a line to say that it's not a broken campaign promise. Certainly, the language used throughout the debate has been that this restructures the council at Peel. I think because Premier Dalton McGuinty, the Minister of Municipal Affairs and Housing, Mr. Gerretsen, and the Minister of Finance, Mr. Sorbara, among others, all said, "We will not restructure Peel council," and Bill 186 restructures Peel council, now they can say, "Well, we're not really restructuring. That's not really what we meant. Therefore, it's not a broken promise." They walk a strange line by saying that this bill is substantive and that it brings some sort of needed balance to Peel council that they would argue is off-kilter today.

On one hand, they argue that the bill is substantive and makes a major change and will be the saviour of Peel region. I'm exaggerating somewhat, but that's basically the premise they use in arguments: that this is a major change that will bring balance to Peel region and is therefore a very, very important bill. On the other hand, the minister just moments ago argued, "This bill is very minor. It makes some very minor changes by adding a couple of seats here and a seat there and it is very, very minor fiddling with a number of seats." I know the Liberals want to have it both ways, but you can't really have it both ways. Either this is a significant change that impacts Peel region dramatically, as you argue one day, or it's a minor change that results in a slight change in a seat or two. It must be difficult to argue out of both sides of your mouth all the time on the issue. It's one or the other.

What we argue in opposition is that this is a significant change, because we believe that it's going to paralyze Peel regional council, that it will shift it from being what's been considered for some time a model regional council in its operations into a model of Dalton McGuinty himself: deadlocked, dithering and unable to make a difficult decision.

Therefore, we see this as a significant change, if this bill passes three readings. I think we've been clear in voting against this bill, and I anticipate my colleagues,

and I certainly will, will be rising against Bill 186 upon third reading, because we object to the changes and we're very disappointed that some very well-thought-out, constructive amendments brought forward by some of the municipalities and by both opposition parties were cavalierly rejected by the government members.

The minister made a few arguments. He said eight out of nine recommendations have been endorsed. We've seen no action on seven of those and I suspect we will not. He said they could simply rearrange seats if Brampton grows. That doesn't meet with the facts, and there's hardly anything simple about a triple majority through the Municipal Act. It shows that the government argues on two sides of the issue, with Bill 186 being completely inconsistent with the notion of Brampton using the traditional method of the triple majority through the Municipal Act. The third argument the minister makes is that this is not really restructuring, that it's a minor change, but on the other hand, he says it's a major change that will bring balance to the region of Peel and save all those poor people in Peel. I guess the minister would view Peel as dysfunctional currently and somehow would think this would then improve things from his point of view. You can't argue on both sides of the issue. Either it's a minor change or a significant change. The minister in his comments argues both sides of the issue, which I think reinforces the cynicism people in Peel will be holding about this bill and the government's approach to it.

The last point: The government's only real remaining point that they've made relatively consistently on Bill 186 is that they argue it's population based and that the seats at Peel region should reflect the population differences, Mississauga being the largest municipality, followed by Brampton, and Caledon being much smaller. Therefore, they say it's justified that Mississauga would have half the seats at Peel region because of their population. But one wonders, if they truly believe that upper-tier councils, be they regions or counties, should be based on population, the proportional representation argument that the PA and the member for Mississauga West make over and over again, that proportional representation is the be-all and end-all of upper-tier governments, if that were the case, then when can we expect a restructuring bill for Durham region, Niagara, Halton, Simcoe county? If you truly believe in the principle of proportional representation, if that's the be-all and end-all of seats on an upper-tier level of government, then why are you not bringing forward legislation in these areas? St. Catharines and Niagara Falls in my own region of Niagara make up half or slightly more than half of the population. Their combined seats on the region of Niagara are far below half of the population. If the government were being consistent, they would soon be bringing forward legislation to restructure the region of Niagara and change the seats.

**Mr. Richard Patten (Ottawa Centre):** OK, we'll do that.

**Mr. Hudak:** I hear some of them say maybe that's a good idea. I would strongly object to that principle. I



know that the municipalities I proudly represent, Lincoln and West Lincoln, Wainfleet, Port Colborne and Fort Erie, and other small communities like Pelham, Grimsby, Thorold and Niagara-on-the-Lake, would strongly object to giving St. Catharines and Niagara Falls half the seats on the council of the region of Niagara. In fact, when regions were constructed under the Bill Davis government, careful consideration was given at the time to how many seats were put on at the regional level of government to balance out population, with a balance between the rural communities and the special needs of rural communities, so that you could look at a region as a whole when addressing issues, both urban and rural, and not base it strictly on population. Certainly the small communities in Niagara would object very strongly if the large cities had the power to force anything they wanted through the region.

1640

I think it's Bill 176, your redistribution bill, that rejects proportional representation, representation by population; it does. Let me be clear. It rejects representation by population. You do.

In fact, I think in probably the first example of a government setting the boundaries in decades, as opposed to using an arm's-length commission, the Dalton McGuinty government has chosen to specify the 11 northern ridings and their boundaries through a piece of legislation. Southern Ontario would be done matching the federal boundaries, which was done by a boundary commission. For some time, certainly before my time in this place and likely the Speaker's time and all the members here today, riding boundaries have been determined by an arm's-length commission to make sure that we stay away from the dangers of gerrymandering, where the government of the day would set the boundaries to best suit themselves and their electoral opportunities. For fairness and balance and trust in the political system, we've always had a boundary commission.

For the first time in who knows how long—in decades—the Dalton McGuinty government has chosen to throw out that principle and to set the ridings in northern Ontario, and by doing so, they reject the notion of representation by population. The ridings in southern Ontario would have significantly more, especially under the changes according to the most recent federal boundaries commission, a substantially greater population than those in northern Ontario, and if this legislation were to pass, I believe the change would become even more dramatic than it is today.

So you wonder why on one hand the government members say that they support representation by population and therefore Peel region should be based on representation by population, but on the other hand, Bill 176 is the complete opposite, and I think it's not because of any embracing of the principles. If they truly embraced the principle, if this were truly all about representation by population, then you would see two things: First, they would withdraw Bill 176, because Bill 176 clearly runs against that principle; and secondly, they would bring in

legislation to change the structure of all of the counties and regions in the province to reflect populations. If this were truly the principle they were wedded to, then we would see those two changes. But we don't see those things happening. I suspect we will not see those things happening.

So I am left with the only conclusion, that this notion of rep by pop they put forward to defend Bill 186 is simply window dressing. They're not committed to that principle. If they were, their other bills would not be at variance. They're inconsistent because, quite frankly, Bill 186 is borne completely out of political opportunism, a strict political decision no doubt, maybe by cabinet, probably by Dalton McGuinty and his back-room advisers, and also because Dalton McGuinty got caught up in a whole bunch of broken promises. I've used this: I think with the political gymnastics Dalton McGuinty has gone through on this bill, with so many twists and turns and bends and back flips and broken promises and different decisions, he would make Nadia Comaneci jealous. He would, I say to my colleague from Ottawa. Now I feel bad for Hansard. Maybe you don't know how to spell the last name of the Romanian gymnast, the gold-medal winner. But Dalton McGuinty would win the gold medal when it comes to broken promises, particularly on this bill, his changing in positions that would make Nadia Comaneci envious.

So there were four arguments. I heard the minister say that they took eight or nine of Justice Adams's recommendation. That's not true. Brampton could easily rearrange the seats as its population grew. That's at variance with the facts. This is not restructuring. Well, you say it is restructuring sometimes, other times you say it is not. We can dismiss that argument. And then their last piece of clothing, their last mask for this bill, that it's representation by population, is completely at variance with reality. There are other pieces of legislation and other actions on governance issues for other regions or counties that take the opposite direction and don't embrace that principle.

As I said, I think when it comes to upper tiers—counties and regions—you need that balance to ensure that rural communities, as well as large urban centres, have reasons to co-operate and work together and that the decisions are made by the region, or the county for the region, or the county as a whole, are not strict votes based on their population and based on seats on council assigned to their population.

The other thing is, I think we need to note for the record that we find ourselves debating Bill 186 at third reading today with about three hours' maximum notice. There was another bill entirely that was scheduled for debate today.

*Interjection.*

**Mr. Hudak:** There was. Then we got word the government had changed its mind at around 1 o'clock or so—noon, 1 o'clock, somewhere around there—and they said that Bill 186 was going to be debated instead. I'm the critic for municipal affairs and housing. I'm very

willing to change my schedule in order to speak on this bill, but I find it highly regrettable that we were only given a few hours' notice to debate this bill. Maybe you guys knew before us. I suspect not. They're shrugging their shoulders. They're keeping a poker face on that one.

*Interjection.*

**Mr. Hudak:** Mr. McNeely knew? Well, I saw him in the hallway; he should have told me. We only had a few hours' notice on this bill coming forward, which is highly regrettable. In turn, my hard-working staff, Adam McDonald and John Clancy, tried to contact the mayor of Brampton and the mayor of Caledon, two very strong opponents of Bill 186. I would say to the parliamentary assistant, did the mayors know this was coming forward for third reading debate today? I suspect not.

**Mr. Jim Wilson (Simcoe-Grey):** Silence.

**Mr. Hudak:** The parliamentary assistant's silence on this issue, I think, reinforces my opinion that they didn't tell Brampton, they didn't tell Caledon and they didn't tell Mississauga.

**Mr. Wilson:** Restructuring by stealth.

**Mr. Hudak:** My colleague from Simcoe-Grey says it's restructuring by stealth.

The reality is, it does show an arrogance about this bill—there are very strong feelings about throughout Peel region—that the government gave only a couple of hours of notice that this bill was coming forward for third and—hopefully not, but usually—final reading.

During the second reading debate and during question period, the gallery was full of councillors, taxpayers and mayors from Peel region, mostly opposed to the bill—some on the positive side: most of them opposed to the bill—who were here to listen to debate, to see where their members from those municipalities stood on the issues, to give their own input. But I look over at the galleries today and, aside from the hard-working staff of the Legislature—there are no municipal councillors from Peel; there are no taxpayers; there's no representative of the Brampton Board of Trade or the chamber of commerce from Mississauga. The reason for that is not that they suddenly don't care about the bill. Quite the opposite—they weren't told.

This bill, if debate collapses, could be voted upon today. I suspect the Liberal members, with the exception of some from Brampton who are opposing the bill—the bill would likely pass and the mayor of Brampton, the mayor of Mississauga, the mayor of Caledon, the regional chair of Peel and any of those taxpayers who came forward or filled the halls during the public hearings a couple of weeks ago would not know about it because at the last minute the government brought this bill forward, I suggest, because they know it's controversial. They know there's strong opposition to it in the Peel region and they thought they would try to sneak it through tonight.

I guess I shouldn't be surprised, because it's consistent with the lack of notice that was given for those who wanted to come before the committee after second reading. I'm trying to think what it was. We heard it

pretty loud and clear when we were at the Peel hearings in Brampton and also the hearings in Mississauga. There was a great deal of upset, a great deal of anger. The only way they really could have found out about it—there was no advertising done that the hearings were coming. I guess if you watched the legislative channel, if you are such a big fan—

1650

**Hon. Christopher Bentley (Minister of Labour):** Don't you?

**Mr. Hudak:** I knew about it because I was the critic, so it's not really fair to ask if I knew, because I was there—maybe my mum, who may be watching today. She usually says I looked tired, my voice was too hoarse, my tie was crooked or something like that. She may have known, but she lives in Fort Erie.

For the vast majority of taxpayers who felt very strongly—or municipal councillors, or mayors or regional chairs—the only way, via advertising, they would have known that Bill 186 hearings were coming to Peel region I think was if they watched the legislative channel. If they were so desperate that they had the clicker out, saying, "This is where I learn most of my information about when hearings take place," and they watched the legislative channel around the clock, then they may have seen notice.

I think they only had about 12 hours. If they did catch the notice or if they did get a call from somebody in the assembly to say, "Hey, you'd better put on the TV, see the notice and call the clerk," if that did work itself out to the million-plus taxpayers in the region of Peel—I would bet you a very small number happened to be watching the legislative channel and reviewing the notices in the 12-hour period that was required. Then they had to actually call in to the clerk. I believe the cut-off was noon that day.

I don't believe the government members were truly interested in hearing feedback on Bill 186. They gave almost the shortest possible notice on the bill and ensured that people only really had less than 12 hours, most of which was between the hours of 9 p.m. and 6 a.m. or something like that. It's not a heck of a lot of time, and pretty late at night. I know the clerks work very hard, but I don't know if they're answering the phone at 3 or 4 in the morning, if somebody gave notice at that point in time.

At any rate, the point is that while it's very disappointing we only had about three hours' notice that we would be debating this bill today, it's even worse that the taxpayers and municipal leaders in Caledon, Mississauga and Brampton had next to no notice about their opportunity to participate in the hearings on Bill 186. It's not surprising. It's consistent, unfortunately, with the way Bill 186 has been handled by the government, but all the same it's very disappointing.

I know I'm dwelling on process, and I'll get to more of the substantive amendments, although I spoke to it quite a bit at second reading, Mr. Speaker, as you will recall. The Speaker was kind enough to attend as well at



the committee hearings that day. What was also very disappointing about the way this bill was brought forward, and reflected that the government really didn't care what they heard—they weren't really going to make any amendments; they went through the show—was that when we arrived and took our seats in Brampton for the first few hours—my colleague from Beaches–East York and the leader of the official opposition, the members from Dufferin–Peel–Wellington–Grey—we looked at the members opposite, and it wasn't the regular committee members who were attending on behalf of the government. In fact, they had substituted in three members from Mississauga and two from Scarborough, the parliamentary assistant and the member from Scarborough Southwest.

Three members from Mississauga were substituted on the committee. I think it's great they were there. I commend them for being there and for listening to what was being said. They've made their points clear: They believe this is in the best interests of Mississauga and therefore they're supporting it. But the three members for Brampton were not substituted in to sit on the committee, two of whom are here. Hopefully we'll hear from those two members shortly. I'm glad they're here. They have spoken out against the bill, have said they were going to vote against it, and followed through on their commitment and voted against it. They were not substituted in to the committee.

The member from Brampton Centre has been particularly eloquent and consistent about this bill in her opposition to it from the beginning. In fact, I think she had the word of the finance minister, had assured the taxpayers in Brampton that no changes would take place without a consensus, and the carpet was pulled out from under her. She was there. She was there for every minute to listen to the mayor and councillors and others who brought forward their feelings in Brampton, but she was not permitted to be substituted in the committee to have a voice and to have a vote at those committee hearings.

The member for Bramalea–Gore–Malton–Springdale also joined us there at the committee. He was not there as long as the member for Brampton Centre, but he was there and was listening, similarly. So obviously in his schedule he was available to be at the committee, but similarly was not substituted in to participate in the debate or to vote or to bring forward amendments or motions.

It's a powerful whip, certainly, that they have on the government side. There's no doubt about it. Whether it was the whip or the Premier himself, no doubt he was flexing his muscles that day, because they had made the decision to substitute in three Mississauga members and not allow the Brampton members to substitute in and participate in the debate. So the die was cast. Your minds were made up. The strong crack of the whip ensured that the Brampton members would not be there to support opposition motions, to bring forward their own motions, to stand up, to speak out for their constituents and to vote against parts of the bill that they disagreed with.

It's true: Three Mississauga members were substituted in, and no members from Brampton were allowed to be there on the committee. It shows that the Premier had made up his mind. He didn't care what was being said there at the committee and had his Mississauga members vote with the parliamentary assistant and not cause any disruptions or inconveniences of good suggestions from the people of Brampton, Peel and Mississauga who were there that day.

So I guess it's unsurprising that we only had a couple of hours' notice, because we only had a couple of hours' notice on committee hearings, and we saw that the die was cast by substituting only Mississauga members into the committee, with no balance of the Brampton members who were opposed to the bill. It was a strange move, I tell you. I don't know why you guys did that. If you really wanted to say that your members were there and participating, that it was democratic, then you would have had an equal number of Mississauga and Brampton members—or none at all. Then there would be some balance. Instead, the Brampton Centre member had to sit in the audience, while only the Mississauga members were permitted to vote, substituted into the committee that day. It's true.

#### *Interjection.*

**Mr. Hudak:** I suspect it was the Premier's office that had made these decisions more so than the whip. I think that's probably the way it is, because Dalton McGuinty had made up his mind. Even he must get tired of breaking promises. It has to be exhausting for him, because he's always at it. I think it comes naturally. He wanted the bill rammed through, he didn't want any changes, so he put in the Mississauga members to do what the whip told them, and told the Brampton members, "Too bad; you can't sit at the table."

While the member for Bramalea–Gore–Malton–Springdale was allowed to sit there for a short period of time, he wasn't allowed to vote; was not allowed to move a motion. So it was like he was invited to dinner but he wasn't allowed to eat. He sat at the table, but they didn't put a plate in front of him to fully participate in the hearing. It's highly regrettable.

Let me give you some of the Hansard that day on this particular topic. Mayor Fennell, at the hearings in Brampton—this is from Hansard—said she wanted to begin her address by reading a letter that her office had sent to Premier McGuinty the day before:

"Dear Premier,

"The purpose of this letter is to express, on behalf of all citizens of Brampton, my deepest disappointment with the public notification provided today by your government for standing committee hearings on Bill 186."

It's not just me saying this. This is the mayor of Brampton, who states clearly in her letter that she was given next to no notice, very little notification that the hearings were taking place.

1700

She goes on to say, "My council was just advised hours ago, by your clerk's office for the standing com-

mittee on finance and economic affairs, that hearings for Bill 186 would be held" on Friday. She states the times and when they are in Mississauga. "Further, we were advised that anyone wishing to appear before the committee would need to formally register with the legislative committee clerk by noon today." That, it says in Hansard, "was yesterday's letter."

She goes on to say, "Providing less than 24 hours' notice of the hearings, and barely three hours' notice...." So when I said they had 12 hours' notice, I guess I was being far too generous. According to Mayor Fennell, "barely three hours' notice to register, demonstrates your government's total disregard for the 412,500 residents of Brampton." Let me reinforce that: "demonstrates your government's total disregard for the 412,500 residents of Brampton."

**Hon. Mr. Bentley:** How many in Mississauga?

**Mr. Hudak:** The Minister of Labour says, "How many in Mississauga?" Did Mississauga get better notice than Brampton?

**Hon. Mr. Bentley:** How many residents in Mississauga?

**Mr. Hudak:** He asks the same question rhetorically again. I don't know the exact number, but I hope the Minister of Labour's point is not that Mississauga had more members, more residents, and therefore had better notice. Surely that's not true. Surely it's not true that you gave one group of citizens more notice than other members. I hope the Minister of Labour will rise, maybe in the two-minute rebuttals, and tell us that he surely did not mean that because this bill favours Mississauga more than the other communities, they should have received more notice. I suspect that Mississauga likewise had only three hours' notice to register.

Mayor Fennell goes on to say in Hansard, "And, to give general notice, primarily, if not exclusively, by means of the Legislative Assembly Web site offends the principles of your government and is contrary to the following quote from your election platform."

At this point she has some interesting comments for the member for Mississauga West, but I won't read those. You remember those. Brampton Centre is laughing. She was there. She remembers that Mississauga West had particular comments from the mayor of Brampton, but I won't read them into the record.

Mayor Fennell goes on to quote Dalton McGuinty's own platform. She must have had an original copy, because you never hear about it any more. I think they buried it underneath one of those houses on the Oak Ridges moraine that they promised to stop. I see the member for Niagara Falls is here. Maybe they put it in a barrel and sent it over the falls; I don't know. It seems to have disappeared, because all the promises have disappeared. But she quoted the Liberal platform saying, "The public should be given the opportunity to comment on any legislation of significance.... Public input is essential to good government. We will ensure that you have the opportunity to offer comments on all major bills." End of quote. She says that that was section 5,

page 7, and it has a picture of Premier McGuinty on that particular page.

That was the campaign promise. That is what they said in the platform.

**Mr. John O'Toole (Durham):** That doesn't mean anything.

**Mr. Hudak:** My colleague from Durham says, "That doesn't mean anything." Well, I think that has been borne out to be true. The member for Durham is right. What was written in the Dalton McGuinty campaign platform is clearly not worth the paper it was written on, because of yet again a broken promise.

Mayor Fennell, the mayor of Brampton, goes on to say, "The city of Brampton will participate in the Brampton hearing tomorrow morning in a manner that continues to put forward our strong case for properly balanced and fair representation in the regional municipality of Peel."

She says that the Premier should keep his promise: "The residents of Brampton and Ontario deserve and expect what you promised."

She goes on in Hansard to say, "That doesn't give confidence to the residents behind me," meaning the Brampton residents, and I think some from Caledon who were there that day, "that their remarks will be listened to, if we can't even go a little bit into the lunch hour" to ensure that they would have about a 24-hour notice period.

Similar comments came forward from Marolyn Morrison, the mayor of the town of Caledon, decrying the farce of the committee process that the government put Bill 186 through.

Let me just go back to a little bit of background on this issue. I have yet to hear a logical and consistent argument from the government on why Bill 186 should pass. I responded to the arguments of the minister. I don't think his arguments hold an ounce of water. My colleague from Durham says it is an issue of competence. I suspect there is a lot of truth to that, that this bill was brought forward incompetently because of so many broken promises and of broken trust, particularly because the word of the Premier was broken so many times.

In January 2004—what was this now, a year and a half ago or so; not that long ago—Premier McGuinty says Peel restructuring is not on his agenda. He had more important bills to focus on, like banning pit bulls and taking gummy bears out of the hallways of our schools. In January 2004, as I said, you'll remember that Dalton McGuinty, Premier of Ontario, said clearly—no ambiguity here—that Peel restructuring is not on his agenda. In June 2004, Premier McGuinty says that his government will not be making any restructuring changes in Peel, so he was actually consistent for a few months there—strange, probably accidental.

**Mr. John R. Baird (Nepean-Carleton):** That's a first.

**Mr. Hudak:** It's a first. It was probably an accident, but he was consistent from January until June. But here it comes: July 2004, the Orangeville Banner and the To-



ronto Sun report that Finance Minister Greg Sorbara, who some people say is the real Premier—so you have both Premiers on the record here—confirmed that municipal restructuring is not on the government's agenda. In fact, he said, "It is not part of our agenda to become involved in municipal restructuring."

**Mr. Duguid:** He was right.

**Mr. Hudak:** The parliamentary assistant said, "He was right," but then a few months later, he did the opposite. So I don't know if he was right in his policy or if he was right to set up the flip-flop and the broken promise. I don't know where the values are. Was he right in the principle or was he right to break a promise? It's hard to tell right from wrong when you look at the government's decisions.

The Toronto Star reported in August 2004 that Finance Minister Greg Sorbara, the second Premier, "has offered to provide a facilitator" to work with Peel. The Star also reports that this is an about-face for the government. "About-face" is kind of a nicer way of saying that they broke their promise, they broke their word, they broke faith, they did the opposite of what they said they were going to do.

So we saw a couple of months of consistency, and then suddenly things turned and they said, "Heck, we're tired of being consistent; we've got some promises to break here." Dalton McGuinty and the second Premier, Greg Sorbara, decided to break the promise when it came to restructuring in Peel.

In October 2004, the Toronto Star reports that Minister Sorbara hired Justice George Adams to mediate a resolution to Peel restructuring. The Star added that Adams would try to find an in-house solution and that he would provide his report to the government. So now they've decided to wade in with a facilitator to address Peel restructuring, which only months before they said was not on their agenda.

In December 2004, the Globe and Mail reports that Justice Adams delivers a report recommending two more Mississauga councillors and five more for Brampton.

Justice Adams, the esteemed, respected facilitator, brings forward his report, commissioned by the finance minister, the second Premier, Greg Sorbara, and the government, in a fit of momentum and energy, sits on it for three more months, I guess to decide whether they're going to proceed, flip-flop, break a promise. Three months later, Premier McGuinty promises to abide by Justice Adams's report. They said they wouldn't get involved in restructuring. They do, and then they say, "We'll use a facilitator, but we promise"—it's always with fingers crossed—"that we'll abide by Justice Adams's report," Dalton McGuinty says.

In March 2005, Brampton Centre MPP Ms. Jeffery reaffirms—because I'm sure she was told directly—that the Liberal cabinet position is to do nothing unless all three mayors agree. That was in the Brampton Guardian. I have no doubt that's what she was told and she reported accurately what she was told. But the thing is, if Dalton McGuinty says one thing one day, you really can't bet that it's going to come true the next.

The member for Brampton Centre, other members from Brampton and members of the assembly learned that the hard way on Bill 186, when in April 2005 the Toronto Star reported that Minister Gerretsen was going to throw out Justice Adams's report—basically crumple it up, throw it in the trash bin and impose his own Queen's Park-based solution out of those offices at the Ministry of Municipal Affairs. He had his own idea that had not had one minute, one second, of debate at Peel regional council.

1710

It's highly regrettable that we saw so many broken promises by Premier McGuinty as this bill was brought forward. That's why, quite frankly, I think people in Peel region just can't trust Dalton McGuinty. They can't trust the Premier of the province of Ontario, because he has broken his promises to them so many times, even though Mississauga will be happy with aspects of Bill 186. Although Mississauga's goal was very clear—Mississauga's goal was to have a single-tier municipality and to exit Peel region—they saw this as a first step toward that. They were very clear, straightforward and consistent, and you can respect the fact that they were clear and consistent. But even Mississauga municipal leaders are going to have to think twice if Dalton McGuinty makes them any promises in the future, because he has broken his promises to them so many times in the past.

We have a number of letters, which we have read into the record. My colleague from Beaches—East York has read into the record direct conversations that the Premier or his staff or the minister had with municipal leaders in Peel region that assured them that they would be either abiding by Justice Adams's report or not entering the restructuring debate at all. The promises are not worth the paper they're written on, because they were tossed out, tossed right out at their political convenience, tossed out because, I bet you, Premier McGuinty made promises to everybody and he knew he couldn't keep them. I don't think he's up to the job. This is evidence that Dalton McGuinty is not up to the job, because he has botched the Peel restructuring issue.

And it's not just Peel. It's not just Peel municipal councillors and municipal leaders who are going to feel this way. Other municipal leaders will follow this. They will read about it, they will talk to their colleagues from Peel, and it's going to undermine the credibility of the Premier and the Minister of Municipal Affairs with any of these municipal leaders because they have broken their word. They intervened in this when they said they would not; they ignored a facilitator's report when they said they would accept it; and they brought in their own solution and then rammed it through with some hearings, but next to no notice and limited hearings. They rammed it through. As the mayor of Brampton said, they had only about three hours' notice to get on the register.

So it does undermine the credibility of the Premier and the credibility of the Minister of Municipal Affairs with any municipal leaders. And that's reinforced by the new Dalton McGuinty funding model for municipalities,

which cuts some \$47 million from municipalities across the province, despite the fact that they said they would improve the funding situation of municipalities. In fact, they've done the opposite. We and the Leader of the Opposition brought forward case after case of municipalities that have had all of their funding removed by the new Dalton McGuinty funding model—but I digress.

We voted against this bill on second reading. We brought forward constructive amendments to do a number of things; for example, to allow the bill to be reopened if Brampton's or even Caledon's—in all likelihood Brampton's—population increased rapidly compared to Mississauga's. The minister said he was interested in that concept but they shot down every one of the opposition amendments and even those that were brought forward by Brampton itself—

**Mr. Baird:** Who wrote this speech?

**Mr. Hudak:** Me. You don't like it?—and those brought forward by the official opposition to allow the bill to be reopened. So if Brampton does grow—as your own Places to Grow document says, you are predicting a significant increase in growth for Brampton—they don't allow for a change in the seats at council when that population growth does occur. A number of ideas were brought forward through amendments, including one from Brampton itself, others from the official opposition, and each and every one of them was shot down.

We also brought forward a number of amendments to ensure that the election of the regional chair was done fairly and that there was a way to determine, if a deadlock had occurred, how that regional chair would be determined. In fact, this was an important point of contention at the committee hearings. But again, every amendment of substance brought forward by the opposition, including those from the municipalities themselves, the constituents of Peel region, were shot down by the government members. I believe that there is a risk that the election of the next regional chair in Peel will be split strictly on municipal boundaries, that Mississauga with half the numbers and Brampton and Caledon with the other half of the numbers will actually split on the next regional chair and there will be a divided council. We thought it sensible to bring forward some mechanism to determine how that would be split.

You have to wonder too about a government that would have seen right here in the gallery the deep divide that they've exacerbated on Peel council, having one mayor on one side of the gallery and two mayors on the other. Clearly this issue isn't going away. In fact, Bill 186 is going to fan those flames. So how they thought it sensible, when they see that kind of division, to divide up the council seats so it could evolve into a continued tied and deadlocked situation is beyond me. An even number of councillors, half Mississauga and half Brampton and Caledon combined, is a recipe for deadlock. You've seen the divisions that you've exacerbated in Peel, and yet you're bringing forward legislation and a distribution of council seats that's going to create a deadlocked council. It is a bizarre situation.

We also brought forward amendments—

*Interjection.*

**Mr. Hudak:** My colleague from Nepean—Carleton says he'd rather be a uniter than a divider.

We brought forward amendments that would charge the mayors with the responsibility of finding ways to balance representation by population and those needs of the rural communities like Caledon to ensure a Peel-wide solution, to forge that kind of consensus. We brought those things forward, an amendment to do just that at committee, but again it was voted down by the government members.

We also brought forward some measures to say when it would be appropriate to reopen this bill, based on the census. My colleague from the third party brought forward some recommendations to reopen the bill in a more prompt fashion, to examine the population changes and to see what happens after the 2006 election. They were sensible principles that we heard at the committee, but each and every one of them were voted down by the government members.

**Mr. Duguid:** Not all of them.

**Mr. Hudak:** There was one relatively minor amendment, part of my amendment, that was adopted. I do appreciate that. The parliamentary assistant sought me out and talked to me about that and we found the language.

**Mr. Baird:** He should be put in cabinet. I was embarrassed for him today, that question he had to ask.

**Mr. Hudak:** Nepean—Carleton says he may be put in cabinet, and that may very well be true.

I do appreciate that we did have the one amendment, however relatively minor. It didn't change the bill substantially. I do appreciate that at least that one amendment went through, but the substantive amendments that would address this issue of the election of the regional chair as opposed to an appointment, that would address the issue of a deadlocked council, that would ensure the bill would be reopened if you saw a significant population change, in the interest of fairness and the interest of consistency with your own arguments, all the major, substantive amendments were, sadly, tossed aside by the government members.

In the interests of time, I won't go through each of the individual amendments that were voted down, but they did get at these principles of reopening the act when populations change and the direct election of the chair as opposed to an appointment. Ensuring there would be no appointment of the chair of the region of Peel by an order of cabinet was an important issue that we brought forward and, of course, making sure that the council would not be deadlocked and indecisive in the future.

The Brampton Guardian and the Toronto Star, among other newspapers, are just filled with good quotes about the anger in that municipality and the disappointment in Dalton McGuinty's poor leadership.

**Mr. Dunlop:** And broken promises.

**Mr. Hudak:** And broken promises on this issue—in fact, probably so many I won't be able to get through them.



The Brampton Guardian headline: "Our Mayor Upset with the Premier." "Mayor So Upset About Regional Decision." "Fennell Wants Clarification from Premier." "Let's tell the Premier How We're Feeling." Another headline, the Brampton Guardian: "Hazel Getting Her Way at the Region." The Toronto Star had similar headlines: "Region Will Grind to a Halt"; "Mayor Fennell Worried Province may Cherry-pick Recommendations." That turned out to be true.

1720

In the interests of time, I won't be able to get to all of those newspaper clippings that I think have the right principle: that this was a bad decision, born out of broken promises and completely inconsistent with other legislation this government has brought forward. I think it was done to try to appease, political decisions rather than based on good policy. That has been evidenced in the fact that they rammed through the committee hearings without notice for Peel taxpayers and really only gave us a couple of hours' notice tonight.

I do hope members across will vote against this bill on third reading.

**The Acting Speaker:** Questions and comments?

**Mr. Prue:** It is a privilege to pass on a few comments. But the comments that I really want to hear are the comments from the members from Brampton Centre and Bramalea-Gore-Malton-Springdale. The people on the government side are going to have two opportunities to comment on this speech, and if I were to hear two comments, those are the two I would most like to hear. I think if we were to hear from them, you would find that they were very much in accord with what the member from Erie-Lincoln had to say here today.

I listened to everything he said. Although I often disagree with him in terms of his own party's policies, he has a pretty good grasp of the history of this issue and of the factual context surrounding this issue. He outlined what was a very sorry history on behalf of this government of promises made not only by the Premier and by the minister but promises made by members of the Liberal Party to the people of Mississauga, Brampton and Caledon, those promises that were not kept.

He talked a great deal about the rushed legislation that brought us here today. This is probably the fastest bill that has gone through this House in this particular session or in this particular government. I don't know of any other bill that has been pushed through this fast. Even those that were far more important to the government and to the people of this province have taken weeks or months longer to push through. This has been done in a huge rush for reasons that I cannot fathom or understand.

I think he has also outlined that this government has chosen to ignore the facts and the opinions of their own expert, Judge Adams, who they called, who they paid, who wrote a substantive report, and who in fact was not listened to. I don't know what is going on over there, but I'm hoping that the member from Bramalea-Gore-Malton-Springdale and the member from Brampton Centre can elucidate on it.

**Mr. Duguid:** I want to thank the member for Erie-Lincoln for his work on this bill. I have to admit, he showed up at all the hearings. He showed up at the hearing in Brampton and he showed up at the hearing in Mississauga. Unfortunately, his leader only showed up at the one, which I still have some difficulty with. I really think it was a slight to the people of Mississauga that his leader only showed up in Brampton and didn't have the courage to show up in Mississauga. But the member for Erie-Lincoln worked very hard on this file and he listened, I think, to all sides because he was at all the committee meetings. I give him credit for that.

The only problem is, not only did he listen to all sides, he's trying to take all sides, and on an issue like that it's very difficult to do. On the one hand, he moved a motion that would have given Brampton more seats at the expense of Mississauga, which would have made a bad situation with regard to representation by population even worse. On the other hand, he supported a motion that would have had the effect of taking seats from Caledon. You can't have it all ways; you can't have it both ways.

The member talked about political opportunism. He suggested that somehow we are engaging in political opportunism here, and I don't see how that's even possible. Frankly, political opportunism is riding the fence on an issue like this and trying to take all sides. I think the members opposite should be trying to take a position on this—take a position that stands for fairness, that stands for balance.

Finally, the member talked about being pessimistic that Peel region would be able to work in the future. I'm confident that all three of those mayors and all the regional councillors will work together and will find consensus. As a harbinger of change that I think is taking place as a result of the consensus we're trying to build, finally, after years of debate, a new \$63.5-million headquarters has just recently been approved by Peel regional council. Delays have pushed this up by \$4.5 million. This is the kind of consensus that we're trying to build and that we're going to build with this legislation.

**Mr. Baird:** I don't know what the heck that had to do with this bill, Speaker.

I'll talk about the speech from the member for Erie-Lincoln—as usual, well prepared and well researched. The member for Erie-Lincoln, I know, did a lot of hard work, even acknowledged by government members, on this bill. The member for Erie-Lincoln works hard on everything.

I too share his concern about the process that has allowed us to get to this bill. I agree with his comments, particularly about Dalton McGuinty flip-flopping, saying one day he wasn't going to do it, the next day he would do it, the next day he wouldn't do it. I can't keep the chain of events in order in my mind because they keep changing their minds over there. They call this caucus the cavemen caucus. I call that cabinet the cave-in cabinet because they keep changing their minds. They caved in on the adoption bill. They caved in to concerns in one municipality here. They caved in to the environmental in-

dustries on their environment bill. They just keep caving in. They caved in on the doctors, and they're caving in on the teachers. They're the cave-in cabinet. They can't take a position and stick with it because they keep caving in.

The cave-in cabinet's going to get a shuffle. It's going to be coming in a few weeks and there's good news for some of the members opposite. The member for Scarborough Centre is a good member. If the Premier's office is watching, you should put him in cabinet because he would be an excellent minister. He certainly couldn't do worse than some of the folks you've got around there.

The chief government whip has always been a minister. He should be a minister. Even Ernie Eves, after I called him a serial waffler, put me in cabinet as chief government whip. This guy works hard for you, Premier McGuinty. You should put him in cabinet too.

**Mr. Bruce Crozier (Essex):** It's a pleasure for me to get up for a couple of minutes on this. It's a bit odd, and we run into this in the Legislature from time to time in our responsibilities as legislators, that we're called to vote on issues that are significantly removed from us, but then that doesn't stop us from listening to the debate and determining what the decision in our mind might be.

The one thing I find strange about this is that the member for Erie-Lincoln and others have argued against representation by population. I don't know why the arbitrator, the judge, the person in this, came up with this decision that we were going to give seats to somebody in the future. That was a bit unique. I happen not to agree with that. I think you should have representation by population.

**The Acting Speaker:** The member for Erie-Lincoln has two minutes to respond.

**Mr. Hudak:** I appreciate the remarks of all my colleagues. The member for Essex says he supports representation by population, but then would he support the restructuring of Essex county based strictly on population lines? Would he support Simcoe county?

**Mr. Crozier:** Sure.

**Mr. Hudak:** He says, "Sure."

**Mr. Crozier:** But that's not the question.

**Mr. Hudak:** He says he would. Maybe they will be bringing in or he will bring in a private member's bill because he says he bases it on representation by population and says Essex county should be restructured along those lines.

I don't think Niagara region, which I represent, should be restructured on population lines because I believe you need that balance—representation by population, as well as the rural communities. You need some balance to help make decisions as a whole. My colleague from Niagara Falls here, I suspect, would not like to see representation by population. Maybe he would, but I know his constituents in Niagara-on-the-Lake would strongly object to that principle, being the sole arbiter of seats at the region of Niagara.

My colleague the parliamentary assistant likes to take these cheap shots at the leader from time to time. I guess he feels he needs to do that in order to earn points for the

next cabinet shuffle. He works hard. He's an intelligent fellow. He's been on council in Scarborough for some time. I think he's got a lot to recommend him. I don't think he needs to take these cheap shots, but if he wants to engage in the fact that the Leader of the Opposition, Dufferin-Peel-Wellington-Grey, attended the hearings in Brampton—he changed his schedule.

**Mr. Dunlop:** Was John Gerretsen there?

1730

**Mr. Hudak:** He needed to get to Renfrew, which is quite a drive, for an afternoon committee. So he was there, but I don't remember the Minister of Municipal Affairs spending one single second—

**Mr. Dunlop:** He must have.

**Mr. Hudak:**—not one single second, at the hearings. The Minister of Municipal Affairs did not sit down for one single second with the mayor of Mississauga, the mayor of Brampton, the mayor of Caledon or Chair Kolb to discuss this bill before it was brought forward; not one second. The Minister of Municipal Affairs prances out of the House before he even hears what the opposition has to say about this bill today, and the Premier, Dalton McGuinty—my God, he'll never show his face in Brampton again. I bet you that when he goes north on the 410 he hides in the back seat because he knows they don't trust him and his broken promises.

**The Acting Speaker:** Further debate?

**Mr. Prue:** I've listened to this debate with great interest. Do you know, I too was at those meetings in Mississauga and in Brampton and at all of the meetings that took place here; I listened intently over the nights of debate; I was here when the mayors were; I think I've been to absolutely everything.

I have to tell you, I've had some time to reflect on what this was all about, and the only thing that I could come up with in all my years of political life and political science was all those times back nearly 40 years ago in my first year of political science at the University of Toronto. We were handed a book and we had to read the book, as we all had to read books in those days. They weren't on computers; they handed us a book. The book itself was print, it was lovely, and it was a great book by Hugh MacLennan called *Two Solitudes*. It was printed in the early 1960s, and it was about Canada and about a family and about two brothers. They were diametrically opposed and apart. One of them was able in the end to be successful and the other one, unfortunately, who chose an alternate path, was not.

It seems to me that what we have here is that great Canadian divide being instituted between Brampton and Caledon on the one side and Mississauga on the other, one of whom is being successful because they have the ear of the minister, and the other two who are not being successful in spite of the fact that they are doing almost everything correctly.

I stopped to think about that. It's really kind of sad, what has happened to the great municipality of Peel. The two solitudes have come out in ways that must be evident to everyone. As has been said by other speakers, we sat



in this Legislature and saw over there on the government side in the members' gallery the mayor of Mississauga and her entourage, and we sat the same night and on subsequent nights and we looked in the opposition gallery and we saw the mayor of Brampton and the mayor of Caledon and their entourage. They didn't talk out in the hall, either. We had a great regional municipality of Peel that has won awards, that has done a tremendous job in terms of the people of their community, and in fact has done a tremendous job and should be emulated across this entire province. And what are we doing? We are sowing the seeds of discord. You have mayors who no longer talk to each other, communities who are up in arms and people who are saying horrible things. I have to tell you, the most gut-wrenching speech of all of the people who came before us in Mississauga and in Brampton was by the regional chairman, Emil Kolb.

**Mr. Patten:** Hazel McCallion.

**Mr. Prue:** No, Hazel gave a good speech but Emil Kolb gave the best gut-wrenching speech. He looked us in the eye and talked about the regional municipality and about what they had attempted to do over all the years that he had been involved there.

**Mr. Baird:** A good man.

**Mr. Prue:** Yes, he's a very good man. He talked about how this was causing irreparable harm to the region of Peel, and all he wanted from this government, all he wanted from the committee that was hearing him, was to do something to bring it back together, to have a fully functioning Peel government that worked as it had worked in the past, with all of its warts and all of its blemishes and all of its problems. He wanted something that continued to work. He told us, and he told us quite bluntly, that he didn't think that what you're proposing was going to work because what it was going to do, in the end, was feed into and fan the flames of those people—in Mississauga, particularly—who wanted to break up the regional municipality of Peel.

Emil Kolb is a very honest man. I had an opportunity to question him as to the veracity of a letter which he had sent out not only to the mayors but to all the members of the regional municipality of Peel. I read it into the record, and I'd like to read it into the record again, because it sets out what has gone so terribly wrong with this entire process. It's dated July 6, 2004. It was sent to the mayors and members of the regional council from chair Emil Kolb, carbon-copied to Roger Maloney, CAO, on the subject of governance. I'll quote it in its entirety, if I may be allowed to do so, because it's only one page and it sets it right out. It states:

"On Wednesday, June 30 at 6:30 p.m. I received a phone call from Ontario Premier Dalton McGuinty directly regarding the city of Mississauga's recommendations around governance restructuring.

"His message to me was clear and straightforward: The Premier and his government will not be making any restructuring changes in Peel. Premier McGuinty stated that his government had not run on an agenda of

municipal governance restructuring, and his energies are focused elsewhere—primarily on dealing with the \$6-billion provincial deficit and delivering on campaign commitments to enhance education, reduce waiting times for health care and champion clean power generation.

"The Premier stated that he had already told the mayor of Mississauga this message directly on Wednesday. Any further inquiries to the province on this or related matters will be referred to the office of Finance Minister Greg Sorbara.

"In my view, the province of Ontario has sent a clear signal to all local governments that it is committed to seeking partners who can deliver the best possible services and programs at the best value to the community. I am proud that the region of Peel is highly regarded by the Premier and his government as a valued partner.

"It is my hope that we can move forward from this point progressively to accomplish the many positive initiatives outlined in our strategic plan on behalf of Peel citizens."

It is signed by E.V.K.—Emil Kolb.

That is what the people, through their government, in the region of Peel, expected from this government. That's what they expected a year ago.

All of a sudden, things changed. I asked Emil Kolb, "Were you consulted further on this?" He was not. I asked the mayors whether they were consulted on this. They were not. I asked the regional municipal members that I could find, both in the committee and outside the committee, whether they were consulted on this. They were not.

Here we have a regional municipality that worked and continues to work and struggles to work brilliantly. But what have they been handed? They have been handed an impossible situation by a government which does not, in my respectful submission, understand this issue or what they are doing to the people of that region.

We heard a lot of people. We heard people in both of those municipalities. They were given only 10 or 15 minutes each and we were given an opportunity to listen to them and to ask a few truncated and very short questions, because there wasn't a lot of time. We ran off from one to the other. We heard as many people as you could hear in one day, because this government determined that there would be one day of hearings: half a day, the morning, in Brampton, and half a day, in the afternoon, in Mississauga, and there was a bus ride and a lunch in between. So I have to tell you that there were not a lot heard.

In Brampton, whom did we hear? In Brampton, we heard from the mayor of Brampton, we heard from the mayor of Caledon, we heard from their lawyers, we heard from some of the locals, we heard from MPPs and we heard from people, ordinary citizens. Every single person who spoke to us in Brampton—the chamber of commerce as well—every single one of them was opposed to this bill. Every single one of them. Then in the afternoon we went to Mississauga and we heard from the mayor, the locals and the board of trade, and every single one of them was in favour of the bill.

1740

This is what I'm talking to you about: the two solitudes. This is what brings me back to the book by Hugh MacLennan all those many years ago. There are two solitudes where there used to be a united region of Peel. There is now one group firmly entrenched on the side of being in favour of the government and this bill and then there is another group on the other side that is just as firmly entrenched in opposition. It is the sadness of which Emil Kolb spoke; it is the sadness of what you have done. You have isolated them just as clearly as you isolated the mayors of two municipalities in this House, one on that side and one on that side. You have isolated two communities.

Even where interests might have been identical—because what was fascinating to me were the boards of trade. You would think the boards of trade would be looking out for the best business interest and probably would sing from the same songbook and to the same tune.

**Mr. Marchese:** You would think.

**Mr. Prue:** You would think. But in these two municipalities, they had diametrically opposed views on the impact of this particular bill.

When I asked—and I asked whenever I got an opportunity and my turn came around in the convoluted structure that we have in committee as to who gets to ask a question. It would only be one person, or maybe you might get a minute. But when I asked questions of those who were able to answer them, when I directly asked the Mississauga Chinese Business Association, business people, a youth group and the mayor why they were in favour of this particular bill in Mississauga, the answer was always the same—

**Mr. Marchese:** Hazel.

**Mr. Prue:** No, no. And this should cause the government some huge grief. Think about this. Read the transcripts of why the people in Mississauga are in favour of this particular bill. It's quite clear. They all said the same thing, and it was backed up by the mayor: This is a prelude; this is a condition of separation, of secession of Mississauga from the region of Peel. They support your bill because they want to secede. They support your bill because they don't want to be part of the region of Peel. They support your bill because the extra two members it will give them will swing the balance of power and allow them to secede from the region of Peel.

I don't know whether that's what the government over there wants. If you want Mississauga to secede, you should have granted what Hazel McCallion asked for in the first place, and that's the option to go—just go and separate. But you have all said that isn't what you want. So I am at a complete loss when you recommend a bill that plays right into the mayor's hands, right into Mississauga's hands, when they blatantly and forthrightly can look me and the entire committee in the eye and state on the record—and please go out and read it—that this is a good bill because it will allow them the extra members so they can secede. How can anybody over there on the gov-

ernment side think you're doing the right thing? You talk about representation by population, but that is not what this is about. This is the prelude to secession.

I have to tell you, as a person who worked for many years in a regional government—it was Metro Toronto in those days—I think that was one of the finest forms of government that existed in this country. In fact, so many good things were done by people coming from various municipalities—in Toronto's case, it was six municipalities and the regional municipality; in Peel's case, it's three and the regional municipality—by reason of compromise. So many people came together with varying views. So many people had something to contribute. So many people used that as a forum to get things done in their community that it actually worked. It was not like this House, where you stand up and make a good speech or give out some good ideas and nobody listens. It's not like when you go to committee and make amendments and everybody nods their head that it's a good amendment and then they all vote against it. This is precise. This form of government works and has continued to work because it is a form of government that has compromise.

How can you over there think that your action is going to end up in compromise for the people of the region of Peel? It is going to end up in the complete abandonment of what we have fought for all these years in this Legislature: for regional governments that work for the people.

I have to think about Emil Kolb. I have to think about the two solitudes. But I also have to think about the arguments that were made and what we in opposition tried to do. Now, you have heard from the member from Erie-Lincoln, and his historical analysis is quite correct. He outlined what happened when we came back after listening to these people—these very well-intentioned people, these people who had an agenda, these people who had a historical process they wanted to follow.

I do not agree that the regional municipality of Peel no longer serves a purpose. I believe that it serves a good purpose in one of the fastest-growing areas of this province and of this country. They have proven that by the awards they have won; they have proven over the years that they are a government that needs to be listened to. But you know, even those who want to secede had something they wanted to say. We went into committee, quite sadly, and I tried to take some of the ideas that we heard from all of those people, no matter whether they were on one side or the other, and to put those ideas into amendments to this bill. There would have been one amendment that would have, in my view, saved this bill. All the people of Brampton and Caledon were asking for was a mechanism that, as they expand—and it won't be Caledon, it'll be Brampton—that as Brampton expands, there will be an opportunity for a periodic or yearly review. So that as Brampton goes up 30,000 or 40,000 or 50,000 people a year, as the planners are telling us is happening, as the census is telling us is happening, there is a mechanism that the people of Brampton are not under-represented on the regional municipality of Peel.



This is precisely what the learned justice had to say. It's precisely what the justice had to say. He recommended that we move the number of people on the regional municipality in a way that went from seven to eight to nine to 10 as the population increased. It was a very good recommendation, it was a sensible recommendation, and the government has refused to do what that learned judge said they should.

**Mr. Marchese:** Why do you think they would do that? That's the question.

**Mr. Prue:** No, no, no. I had to stop and think. This government and the minister and the parliamentary assistant said again today that you are following most of the recommendations of the learned judge. I have to disagree. I have his report right here. Let's just go through what some of these recommendations are. What are you following? He made these recommendations:

The first one is that Mississauga's regional representatives be increased from 10 to 12. And yes, you did that. That one you did. I give you that. Boy, you did that. That's number one.

Number two, that, "In time for the 2006 election, Brampton's regional representatives be increased from six to 11." This you did not do. He set out the entire process, how it was to be done and how the votes were to be weighted and how it was going to end up helping the region of Peel. You didn't; you chose not to do that one. That's the one you say you didn't do, but let's look at the rest of them, because they're really quite amazing.

The next one is that, "Caledon will retain its five regional representatives"—OK, which they have—but then it says, "but will commit to reduce its area council by 2009 to five representatives to create equivalent political relationships between all three area municipalities and the regional council." There is absolutely nothing in your bill that speaks to this. I don't know how you're following the learned judge. I don't know how the minister can say that. If there is something in the bill, please point it out to me, because it is not there.

1750

Then we go on to see, "Recommendation: The three mayors will cause and manage reviews of (1) planning, construction, operation" etc. Really, come on. The three mayors won't even speak to each other any more because of what you've done.

How do you expect to mandate them to do this and you haven't put it in the bill, nor can you force them to do it? You had three mayors who were on the best of personal terms. You had three mayors who worked together day to day, week to week, month to month within the regional council, who are now in two solitudes, one on this side and two on that side, and they cannot work together any more. So instead of doing what the learned judge says—I don't know where you think your bill is doing this, but it's not.

Then, "The reviews will be aimed at real change and guided by an acceptance of the following principles," and then it enunciates a whole bunch of principles to people who don't even talk to each other.

Then it goes on to say, "These reviews will commence within 90 days; be completed by June 2005...." We're in June 2005 tomorrow. They haven't sat down to talk at all, nor are they likely to sit down and talk if this bill is passed.

Here's another thing you're not doing that the learned judge said you are supposed to do. It says, "This timing is to ensure implementation by the 2006 budget."

Then he goes on to talk about some more recommendations, and I fail to see how this bill is going to do any of it, since you agree with all of them. The next one is, "A standing review committee should be established at the regional level to review concerns over the cost, funding and/or the quality of particular regional services." How is that going to happen when Mississauga, the new largest partner, about to become an even larger partner, has the sole goal of secession? How is this going to work? How is your bill going to help what this learned justice said you needed to do?

It goes on, "The standing review committee will have assigned to it senior officials committed to problem-solving...." I will tell you that there will be no senior officials there from either Brampton or Caledon. They must be dreaming in Technicolor if they think that Brampton and Caledon are sending their senior officials to fix a situation in which they have just been done. I can't imagine that the judge's recommendation is going to take place. I don't know how the parliamentary assistant or the minister can say that you are in agreement with these and you're getting things done. You have done everything to make sure this can never happen—never, never, never happen.

Then it goes on to say, "The standing review committee will be immediately tasked to review police services, ambulance services, the administration of the region, conservation" etc., and that it will have a similar schedule to finish in June. This is not happening because it will not happen ever, because you have poisoned the atmosphere of a region that has won countless awards for what they have done.

What are we left with? We are left with a bill that has poisoned a regional municipality. We have been left with a bill that has mayors who won't talk to each other, regional councillors who will not talk to each other and, I have to tell you, a very honest but disappointed regional chair, a man who has spent his entire life working for the region of Peel. He now sees before him an impossible situation of your creation.

I have to ask myself, why did they create this? Was this the only option that was available to them? Surely, when the mayor of Brampton and the mayor of Caledon sat down and said that they, you know—they didn't want to sit down but they agreed to. The mayor of Mississauga was talking from the outset continually, and even until today, about separation. You had the guts at one point to tell Mayor McCallion, for whom I have the greatest respect, that you weren't going to allow the separation. But then you went ahead with this bill, which actually facilitates what she wants. That's why she supports it; that's why her council supports it; that's why the people

of Mississauga support it. They told you. The member from Scarborough Centre was there. The member from Scarborough Centre was one of the five people. You heard everyone from Mississauga talk about this as a prelude to separation. You heard what they said. You cannot deny that that's what they want it for. That's what they want it for.

So then I looked back and thought, what has the minister done in similar circumstances? Then I found a letter from Fort Erie, because the people of Fort Erie want to secede from their regional municipality. I got this letter, and I couldn't believe what the minister wrote. This was received by the mayor of Fort Erie on April 1, 2005. If I could again, Mr. Speaker, and I am mindful of the time, I'd like to read what the minister wrote to the mayor and to the town clerk of Fort Erie.

"Dear Ms. Kett," the town clerk.

"Thank you for the opportunity to consider the proposal by the council of the town of Fort Erie to place a question on the next municipal election ballot pertaining to Fort Erie opting out of regional government. I have carefully reviewed the proposal.

"The provincial government's priorities are to strengthen the economy while improving health care for all Ontarians and outcomes for our students. Municipal restructuring is not one of our priorities. We do not support unilateral action on restructuring; we encourage the development of solutions that reflect the input of all affected municipalities.

"The government believes that the best decisions are those made locally and that a local solution can be found to make Niagara region work better for all constituents. I am confident that your local leadership can have constructive discussions with others at regional council leading to positive solutions on local governance and service delivery system issues within the current governance structure."

Signed "John Gerretsen."

A copy was sent not only to Mr. Hudak but also to Mr. Craiton, who is here today. You must have seen that, and you must know, Mr. Craiton, member for Niagara Falls, that this is diametrically opposed to the bill that you're standing here supporting and your government is supporting here today. You are telling the good people of Fort Erie that they cannot do what they want to break up the regional municipality, and you are assisting the people of Mississauga to do exactly that. I do not understand where this government is coming from. I don't think you understand where this government is coming from.

Mr. Speaker, is it the appropriate time? If you think so, I'm stuck, because—

**The Acting Speaker:** You may take your seat.

It being 6 of the clock, this House stands adjourned until tonight at 6:45.

*The House adjourned at 1757.*

*Evening meeting reported in volume B.*



**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: John O'Toole  
Wayne Arthurs, Caroline Di Cocco, Andrea Horwath,  
Cameron Jackson, Kuldip Kular, Phil McNeely  
John Milloy, John O'Toole, Jim Wilson  
Clerk / Greffier: Trevor Day

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Toby Barrett, Mike Colle, Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell, John O'Toole,  
Michael Prue, John Wilkinson  
Clerk / Greffier: Trevor Day

**General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Vic Dhillon  
Marilyn Churley, Vic Dhillon, Brad Duguid,  
Linda Jeffrey, Jean-Marc Lalonde,  
Deborah Matthews, Jerry J. Ouellette,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Tonia Grannum

**Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Présidente: Andrea Horwath  
Lorenzo Berardinetti, Michael Gravelle,  
Andrea Horwath, Tim Hudak,  
David Oraziotti, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona  
Clerk / Greffière: Susan Sourial

**Justice Policy / Justice**

Chair / Président: Shafiq Qadri  
Vice-Chair / Vice-Président: Bob Delaney  
Michael A. Brown, Jim Brownell, Bob Delaney,  
Kevin Daniel Flynn, Frank Klees, Peter Kormos,  
Shafiq Qadri, Mario G. Racco, Elizabeth Witmer  
Clerk / Greffier: Katch Koch

**Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Donna H. Cansfield, Bob Delaney,  
Ernie Hardeman, Rosario Marchese, Ted McMeekin,  
Norm Miller, Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffier: Douglas Arnott

**Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Laurel C. Broten, Jim Flaherty, Shelley Martel,  
Bill Mauro, Julia Munro, Richard Patten,  
Liz Sandals, Norman W. Sterling, David Zimmer  
Clerk / Greffière: Susan Sourial

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Marilyn Churley  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Marilyn Churley, Kim Craitor,  
Kuldip Kular, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Maria Van Bommel, Tony C. Wong  
Clerk / Greffière: Tonia Grannum

**Social Policy / Politique sociale**

Chair / Président: Mario G. Racco  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Arnott, Ted Chudleigh, Kim Craitor,  
Peter Fonseca, Jeff Leal, Rosario Marchese,  
Mario G. Racco, Khalil Ramal, Kathleen O. Wynne  
Clerk / Greffière: Anne Stokes

# CONTENTS

Tuesday 31 May 2005

## MEMBERS' STATEMENTS

<b>Highway 406</b>	
Mr. Wilson.....	7265
<b>Better Speech, Language and Hearing Month</b>	
Ms. Broten.....	7265
<b>Eastern Ontario</b>	
Mr. Brownell.....	7265
<b>Adoption disclosure</b>	
Mr. Sterling.....	7266
Mr. Flaherty.....	7266
Mr. Bisson.....	7267
<b>Northern Ontario School of Medicine</b>	
Mr. Oraziatti.....	7266
<b>Northumberland</b>	
Mr. Rinaldi.....	7267
<b>Chevaliers de la Pléiade</b>	
Mr. Lalonde.....	7267

## REPORTS BY COMMITTEES

<b>Standing committee on the Legislative Assembly</b>	
Mr. Delaney.....	7268
Report adopted.....	7268

## FIRST READINGS

<b>Institute for Christian Studies Act, 2005, Bill Pr14, Mr. Marchese</b>	
Agreed to.....	7268

## MOTIONS

<b>House sittings</b>	
Mr. Bradley.....	7268
Agreed to.....	7268

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Tobacco control</b>	
Mr. Smitherman.....	7269
Mrs. Witmer.....	7271
Ms. Martel.....	7271
<b>Domestic violence</b>	
Ms. Papatello.....	7269
Mrs. Witmer.....	7271
Ms. Churley.....	7272

## ORAL QUESTIONS

<b>Adoption disclosure</b>	
Mr. Tory.....	7273, 7274
Mr. McGuinty.....	7273
Ms. Papatello.....	7274, 7277, 7279
Mr. Jackson.....	7277, 7281
Mr. Sterling.....	7279, 7281
Mr. Bryant.....	7281

## Services for disabled children

Mr. Hampton.....	7275, 7276
Mr. McGuinty.....	7275, 7278
Mr. Bryant.....	7275, 7276, 7278
Ms. Horwath.....	7277

## Tobacco control

Mr. Duguid.....	7278
Mr. Smitherman.....	7278

## Duffins-Rouge Agricultural Preserve

Ms. Churley.....	7280
Mr. Phillips.....	7280

## Education funding

Mr. Flynn.....	7280
Mr. Kennedy.....	7280

## Regional centres for the developmentally disabled

Mr. Prue.....	7282
Ms. Papatello.....	7282

## Stratford Festival

Mr. Wilkinson.....	7282
Mr. Bradley.....	7282

## PETITIONS

### Right to life

Mr. Klees.....	7283, 7284
----------------	------------

### Landfill

Mr. Parsons.....	7283
------------------	------

## Regional centres for the developmentally disabled

Mr. Dunlop.....	7283, 7285
Ms. Scott.....	7286

## Teacher qualification

Mr. Marchese.....	7283
-------------------	------

## Wearing of helmets

Mrs. Mitchell.....	7284
--------------------	------

## Credit Valley Hospital

Mr. Delaney.....	7284
------------------	------

## Frederick Banting homestead

Mr. Wilson.....	7284
-----------------	------

## Anti-smoking legislation

Mr. Levac.....	7285
Mr. Delaney.....	7285

## THIRD READINGS

### Mandatory Gunshot Wounds

<b>Reporting Act, 2005, Bill 110,</b>	
<i>Mr. Kwinter</i>	
Agreed to.....	7273

### Regional Municipality of Peel Act, 2005, Bill 186, Mr. Gerretsen

Mr. Gerretsen.....	7286, 7289
Mr. Duguid.....	7288, 7299
Mr. Dunlop.....	7288
Mr. Prue.....	7288, 7299, 7300

Mr. Delaney.....	7289
Mr. Marchese.....	7289
Mr. Hudak.....	7290, 7300
Mr. Baird.....	7299
Mr. Crozier.....	7300
Debate deemed adjourned.....	7304

## OTHER BUSINESS

### Visitors

The Speaker.....	7267, 7272
Ms. Horwath.....	7272

### Legislative pages

The Speaker.....	7268
------------------	------

## TABLE DES MATIÈRES

Mardi 31 mai 2005

## DÉCLARATIONS DES DÉPUTÉS

### Chevaliers de la Pléiade

M. Lalonde.....	7267
-----------------	------

## DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

### Violence familiale

M <sup>me</sup> Papatello.....	7269
M <sup>me</sup> Witmer.....	7271
M <sup>me</sup> Churley.....	7272

## QUESTIONS ORALES

### Festival de Stratford

M. Wilkinson.....	7282
M. Bradley.....	7282

## TROISIÈME LECTURE

<b>Loi de 2005 sur la déclaration obligatoire des blessures par balle,</b>	
<i>projet de loi 110, M. Kwinter</i>	
Adoptée.....	7273
<b>Loi de 2005 sur la municipalité régionale de Peel, projet de loi 186,</b>	
<i>M. Gerretsen</i>	
Débat présumé ajourné.....	7304





No. 151B

N° 151B

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 31 May 2005**

**Mardi 31 mai 2005**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario



# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 31 May 2005

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 31 mai 2005

*The House met at 1845.*

## ORDERS OF THE DAY

### TOBACCO CONTROL STATUTE LAW AMENDMENT ACT, 2005

### LOI DE 2005 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA RÉGLEMENTATION DE L'USAGE DU TABAC

Resuming the debate adjourned on May 30, 2005, on the motion for third reading of Bill 164, An Act to rename and amend the Tobacco Control Act, 1994, repeal the Smoking in the Workplace Act and make complementary amendments to other Acts / *Projet de loi 164, Loi visant à modifier le titre et la teneur de la Loi de 1994 sur la réglementation de l'usage du tabac, à abroger la Loi limitant l'usage du tabac dans les lieux de travail et à apporter des modifications complémentaires à d'autres lois.*

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** I've actually been looking forward to rising this evening to speak to Bill 164, the Smoke-Free Ontario Act. I know we'll be here until midnight this evening, so I am looking forward to kicking off the first hour.

A few short months ago, with this bill's introduction, I had an opportunity to address the issue. I remain opposed to this particular piece of legislation. In principle, we all support prevention. We all support funding for cessation programs with respect to smoking. We all recognize the ill-health effects of those who spend a lifetime smoking, and smoking in excess. I think what I do oppose is the approach that this government has taken. They labelled their approach "the war on tobacco," and it's an approach to smoke reduction, as found in the proposed legislation we're debating this evening.

It is an opportunity for all three parties to speak this evening, and I am particularly interested in hearing what the government members opposite have to say. As I indicated, we have until midnight. They have introduced this legislation. A number of amendments have been made. There has been a modicum of consultation, and I look forward to hearing the government members defend this particular piece of legislation.

Over a number of weeks, finance committee hearings were held on the Smoke-Free Ontario Act. This is a bill that, if passed, as we know, will prohibit smoking in all workplaces, work vehicles and public places such as bingo halls, bars, restaurants and certainly taverns and Legion halls. I sit as a member of the finance committee and sat through four days of hearings. I found them very interesting and really quite informative. When you begin to scratch the surface, when legislation is introduced, albeit at the bidding of certain interest groups, during the hearings you start to hear from not only the other side, but a number of sides. We certainly heard from business, from farmers, from those bingo halls and those restaurants. We heard from the taverns and the bars. We heard from members of the Royal Canadian Legion.

In Oshawa, the hearings were attended by the Grim Reaper. He had a mask. He carried a very large anti-tobacco sign. The Grim Reaper also greeted farmers as they filed into the Tillsonburg Special Event Centre, where the legislative hearings were held. Farmers were coming in to submit their bids on the quota buyout. Essentially that day, at least 150 farmers came in to submit their bids and to exit the industry forever, to no longer be tobacco farmers. It's regrettable that these farmers were met by the Grim Reaper with a sign in opposition, bad-mouthing the particular crop that they grow. I will say, to his credit, the Grim Reaper didn't leave his mask on for long. I know he left his mask on all day at the Oshawa hearings, but he wisely took his mask off, I feel, out of respect for those farmers who were filing into the room all day that we were conducting hearings, filing into the room adjacent to exit the industry.

## 1850

It was also symbolic that an organization called Tobacco Farmers in Crisis kicked off the first day of hearings in Toronto. I say "symbolic" because these same tobacco farmers really are the ultimate casualties in George Smitherman's and Premier McGuinty's war on tobacco. In their presentation, the group impressed upon the finance committee their concerns with respect to the import of offshore tobacco, something that will only continue to grow as our Canadian and Ontario farmers are pushed out. Our farmers are being replaced by farmers from India, China, Brazil, tropical countries where who knows what chemicals are sprayed on the leaf that they grow.

Tobacco Farmers in Crisis were represented by their speaker, Luc Martial, who told us, "What we're seeing in terms of an emerging threat to the health of Ontarians—

and this is why I believe it is important to raise this issue now—is a tremendous shift in the use of foreign tobacco leaf in Canadian-style cigarettes.” Mr. Martial went on to say, “In terms of how this relates to health, while we can and do have the authority to control Canadian tobacco growers, we have less authority to control foreign producers of tobacco products.”

I had an opportunity, as we all do in committee, to question Mr. Martial as to whether or not there is any testing for agri-chemical residue with respect to herbicides, insecticides, fungicides on tobacco that is grown in tropical countries. Again, my assumption is that there would be a different recipe of chemical sprayed, blown or actually administered to that particular crop in a tobacco country as opposed to a Canadian crop where we know a number of these organisms are killed off over the winter.

Sadly, we all know the answer. The fact is that, as our growers are pushed out, the cadre of smokers who will always remain will be inhaling offshore or other unregulated product. That doesn't make sense to me. It doesn't make sense certainly from a health perspective. Does government have any idea what kind of tobacco people, including young people, are buying from the trunk of a car or perhaps from their local native reserve? Six Nations and New Credit in my riding have seen the growth just in recent months of 279 new smoke shops. These have sprung up to seize the economic opportunity over the past two years of a change in tobacco policy that has given up any modicum of control.

I see in local media reports that—the figures are in—we've lost something like 150 tobacco farmers, again casualties of the war on tobacco. In my view, extended war reparations are in order, and I feel the extended allocation of assistance to tobacco farmers should be tied to the passing of this bill.

Things have gone from bad to worse down in tobacco country, in Norfolk, Elgin, Middlesex, Oxford and Brant county. The \$35 million that has been allocated to farmers—part of the \$50-million promise of about two years ago on behalf of this government—clearly, given the accelerated decline and downturn in the agricultural economy locally, is not going to be enough to help out to the extent one might think.

While we're on the subject of what this government should be doing for people whose livelihoods are being sacrificed in the name of a smoke-free Ontario, I'm calling for what our government described a number of years ago as a rural jump team to set up shop in tobacco country—storefront, if you will. The town of Delhi might be a good location. There are lots of empty storefronts in Delhi. They could be there to help, advise and provide support not only for farmers but for rural people and people in towns like Delhi, Langton and Tillsonburg. Some of the effects are beginning to accrue in the neighbouring town of Simcoe. Even though towns like Simcoe, Ohsweken and Caledonia are tobacco towns, much of their manufacturing is more and more relying on foreign tobacco.

In a town like Delhi, where they've lost all three car dealerships, you cannot buy a new car now. That was a town that in my lifetime to date has always been a very prosperous agriculture-based community.

We attended hearings in Tillsonburg. Norfolk Councillor Roger Geysens testified. He indicated, “We have already lost a number of businesses and the jobs they provided.” He made mention of the “Delhi Foundry, manufacturer and seller of specialized tobacco equipment, closed; Harley Smith, tobacco equipment supplier, closed; Jacob's Greenhouses, closed; Delhi Dodge, closed;” Blue Star “Ford, Delhi, closed; Norfolk Co-op”—my grandfather was a founding member back in the early 1800s. The Norfolk Co-op is a crop input supplier. I used to work in the fertilizer warehouse. Much of our business was with tobacco farmers. The co-op is now restructuring under bankruptcy protection. These are just a few of the businesses that have been either closed or on the way to bankruptcy.

I sincerely feel that it is time for this government to stop ignoring the consequences of its own actions and do the right thing. At minimum, come forward and help communities and help these families rebuild. Again, it's in this context that I urge this government to send a rural jump team down to tobacco country before the economic base, let alone the social base, is eroded completely.

There is no question, again, that in tobacco counties—Middlesex, Brant, Oxford, Elgin, Norfolk—people are scrambling. I see a rural jump team, a cadre of ministry staff—primarily Ministry of Agriculture and Ministry of Economic Development staff. They are needed for support, at a minimum to be there to have some visibility and to provide some answers. That's one way.

I say “one way” because this is only a part of the role that I feel government is obligated to fulfill as the smoke-free boulder rolls over our rural communities. In addition, I echo the call of others who testified at the committee hearings. There was a call for what is being termed an agriculture innovation centre. I am trying to present some positives in what has become an all-encompassing and albeit a very negative situation in the counties down in the rural south. I ask this government to consider a proposal—I understand that it is sitting on the desk of our Minister of Agriculture—for an agriculture innovation centre to help farmers look to other communities and other sectors for future alternatives: alternative crops to tobacco; alternative economic activity to tobacco. As I understand, that has gone forward to the Minister of Agriculture. I would hope we could see some action on an ag centre because there is very little agricultural future, at the present time, in tobacco country without tobacco.

I want to make mention—and I'll change gears a bit—with respect to testimony we all heard from representatives of corner stores across Ontario and the impact this legislation has on convenience stores, both financially and from a safety perspective.

Again, I'm also thinking of the Korean community, for example, and the impact it would have on their social



life, essentially their cultural and family life. These are truly family-operated businesses.

1900

Corner store employees have long been partners in ensuring tobacco is not sold to minors. The employees have been vigilant when it comes to not selling smokes to underage customers. Now we have legislation that in effect punishes them, when we know that young smokers have found, and will continue to find, alternative ways of buying smokes: again, out of the trunk of a car. The guy selling cigarettes out of the trunk of a car or the back of a van never asks for ID, unlike the corner store operators.

I'll mention again the fact that in my riding alone, in the last year and a half or so, I have seen the creation of 279 smoke shops. They have opened up both on Six Nations and on New Credit, and I can assure you business is booming. Why wouldn't it be? People can buy legal cigarettes at \$60 a carton, or come on over to native land and you can pay \$25 or \$30 a carton for tobacco, with no guarantee where that tobacco came from or what's been sprayed on it. For some reason, the government seems to be happy to ignore this reality that's right under their nose. Smokers will find tobacco where they have to, a smoke-free Ontario or not. If that means the use of illegal tobacco, contraband tobacco or other unregulated tobacco, so be it. People vote with their feet; this is the marketplace.

So what we are seeing as a result of government legislation and regulation, and primarily at this point taxation, because this bill hasn't kicked in yet, is smokers forced to use a more dangerous product. At the same time, my tobacco farmers are being forced out of their livelihood, a livelihood based on a very highly regulated industry.

Back to convenience stores. Approximately 25% of convenience stores have experienced robbery in the past year. That's a 50% increase over the previous year. The corner store operators attribute these statistics to the Ontario Liberal government's decision to jack up tobacco taxes three times since coming to power. Across Ontario, governments take in well over \$8 billion a year in tax revenue. It is felt very clearly that Bill 164 will add to this critical situation. Perhaps it's time for both the provincial and federal governments to allocate some of that \$8 billion in treasury taxation revenue to provide additional protection for these corner stores. Let's provide some protection for the employees and operators of these corner stores that are being robbed. Each year, one in four is being robbed. Why would they rob a corner store? In the majority of the cases, it's for cigarettes.

Bingo halls: As I said before, this is certainly not just about farmers. Over the past several months, we on the committee and those of us involved in consulting on this legislation have worked closely with a number of groups, including representatives from charity bingo. Ontario bingo halls employ 4,200 people. Ontario bingo halls support 4,000 charities, and they generate \$100 million for local charities. Municipal smoking bylaws have already closed many of Ontario's bingo halls. In Niagara Falls, for

example, one bingo hall remains. There was testimony from this bingo hall in which it was indicated that if Bill 164 closes the doors of the last bingo hall in Niagara Falls, you will see 91 charities without a source of funding. Again the question is, who will provide funding for people who rely on these 91 charities?

The hospitality industry: We certainly received a great deal of feedback from the restaurants, taverns and bars, much of it around the fact that designated smoking rooms were constructed in good faith, and then the carpet was yanked out from underneath them. I will continue to press for extended compensation, as I have been for tobacco growers. I feel there should be compensation for additional police protection of the corner stores, and I'll press for extended compensation for the hospitality industry. Many in the industry have spent somewhere between \$15,000 and \$300,000 to establish a separate ventilated designated smoking area, and they've lost that investment if this bill goes through. Premier McGuinty could avoid paying the hospitality industry anything if he'd take a look at a model that was developed in British Columbia, whereby restaurants, bars and pubs have been given the option to maintain a separate ventilated smoking room.

I think you can see that if this bill is passed this evening or tomorrow, it will impact and has already impacted a wide range of groups, not only farmers, not only bingo halls, not only the corner stores or the restaurants and bars. It will impact Royal Canadian Legions, for example.

We hear today of the \$50-million announcement for tobacco prevention and cessation programs, something promised by this government at least two years ago. I hope we don't have to wait another two years for additional money to better enable our professionals in the health units, for example, to encourage young people to either not take up smoking or to cease smoking. But again, is there money slotted for surveillance? Is there money slotted for the hospitality sector? I certainly saw today not a penny for convenience stores, not one red cent for those charities who will be hit hard by the loss of their bingo hall supporters. Of course, as with the budget, there's no additional mention of remuneration for our tobacco farmers.

It's a very long list of stakeholders who have a very keen interest in this legislation. They await the implementation of this bill one year from now, if it's passed. The corner store people were blindsided a bit by losing the right to have their back-wall displays. They're somewhat puzzled that this back-wall display will not be administered until after the next election, in 2008. Clearly, this government has made that an election issue.

In addition to the good people who testified over the months and provided us with so much information, in my research I have certainly been drawing on some work from my assistant, Rob, and also my executive assistant, Bobbi-Ann. Bobbi-Ann just had a baby this morning, baby boy Carter, soon to be joining big sister Addison,

and they'll soon be visiting dad's and grandfather's tobacco farm up in Oxford county.

I was disturbed by the process involved in the hearings. Over the course of those hearings, 225 associations and individuals applied to testify. Only 88 people were given the right to speak; 137 were turned away. Many of these people attended the hearings anyway, and I certainly heard from them the fact that they were truly disappointed with the lack of consultation with respect to the anti-tobacco bill.

There were Liberal MPPs who were disappointed as well, and I can quote MPP Dwight Duncan in the Windsor Star. "It's quite unusual", he said of his and [MPP Sandra] Pupatello's request that the committee, headed by Chatham-Kent Essex MPP Pat Hoy," who is at least one Liberal here this evening, "hear from an additional delegation." But they made the request anyway, because even they, MPPs Duncan and Pupatello, realized that the public must be given a chance to have its say. I will report, there was no additional delegation.

#### 1910

This Smoke-Free Ontario Act, if passed as is, will impact many people, it will impact many businesses, and I question why this government wouldn't want to hear from all of those who know first-hand what Bill 164 will do for them, will do to them. For example, on the fourth day of hearings in Tillsonburg, many delegates who had been turned away showed up anyway, and a number of them did attempt to speak, much to the disconcertion of the Chair. To that end, on that fourth day of hearings I did table a motion to the finance committee, and I'll just quote in part:

"Whereas the House leaders negotiated four days of hearings on the Smoke-Free Ontario Act but 225 people and/or organizations applied to testify; and

"Whereas 137 people and associations have not had an opportunity to testify, for example, Avondale Stores Ltd. The Ontario Minister of Health ... Imperial Tobacco. The medical officer of health ... Dr. Basrur, has not had an opportunity. Taps Tavern, Toronto councillor Frances Nunziata; the Centre for Addiction and Mental Health"—did not get an opportunity to testify about the smoke-free Ontario legislation that was resting with the finance committee.

Again, I made the motion that the Ontario government continue to consult with the remaining 137 applicants, both for and against this piece of legislation. My motion was defeated by the Liberals.

Now, while this government may not want to hear what these people have to say, I'm pleased to report that they really aren't muzzled altogether. In fact, public hearings are slated for June 13 in Windsor—again, no matter what this government decides to do with the bill today. So to some extent, at least in Windsor in a few days, people will have another opportunity to have a say.

If you would allow me, Speaker, to take a few more minutes—and I know I have until midnight. You know, we won't be able to hear a lot of that testimony, but I

would like to take a closer look at what some of the groups were telling us in committee.

In Tillsonburg, one of our speakers was a Norfolk county councillor, Roger Geysens. Mr. Geysens is a tobacco farmer—a former tobacco farmer, I should say. I feel that it would be important—I'll quote in part from some of his testimony. The Norfolk sand plain hosts rural communities with a diverse agricultural base. "Many of our commodity groups find themselves in difficulty, and Norfolk county has lobbied government for assistance for all our commodities. I'm here today to talk to you about tobacco. The tobacco industry has been the mainstay of Norfolk for 50-plus years. It provides employment income to a large share of families in this community, and the ripple effect is seen throughout all of Norfolk."

I will mention that the Norfolk sand plain extends not only across Norfolk, but into Middlesex, certainly Elgin county, Brant county and Oxford county.

Mr. Geysens went on to say on behalf of county council: "The tobacco industry faces many uncertainties. The federal and provincial governments and Norfolk county have all acknowledged that the tobacco industry is declining and that Norfolk will suffer social and economic losses, especially with close to 60% of the tobacco produced in Ontario grown in Norfolk.

"There are a number of factors driving this decline," he explained to the finance committee: government policies being one; high taxes, of course; illegal cigarettes, as I've mentioned earlier; tobacco imports; and, of course, the lower consumption of tobacco, certainly the lower legal consumption of tobacco, albeit I think we all recognize that the illegal consumption of tobacco is increasing—something that really flies in the face of the spirit or the principle of this legislation before us this evening.

Mr. Geysens presented some figures: "Between 1990 and 1992, an average of 81 million pounds of tobacco were marketed annually from Norfolk, generating \$159 million of farm income and employing 3,965 full-time equivalent employees, and that does not take into consideration the value added" to the crop. I think of Simcoe Leaf in the town of Simcoe. I think of the millions of cigarettes that are being manufactured now at Six Nations. I think of the Podium brand that is now being manufactured in Caledonia, in Haldimand county. In 2003, this "dropped to 56 million pounds marketed from Norfolk, generating \$126 million of farm income and employing" now down to "2,523 people." If you compound the difference between the \$126 million and the previous \$159 million, that's a loss of \$200 million depreciated over 10 years, and that's a loss of 1,450 jobs.

People and businesses will be affected in all economic sectors. In Norfolk, the greatest effect is, of course, being felt by the farmers, as both their equity is eroded and their profitability wanes dramatically. But, you know, within rural communities especially, the social effects may have as important an impact as the economic effect. Communities will change, obviously. People's lives will



be affected somewhat dramatically and will be altered permanently.

We've already lost a number of businesses and the jobs they provided, and I think this bears repeating. Delhi Foundry was a major employer, a major manufacturer, a seller of specialized tobacco equipment. It's closed. Harley Smith, tobacco equipment suppliers: closed. I mentioned that Jacob's Greenhouses, Delhi Dodge and Blue Star Ford have all closed. Our own Norfolk Co-operative—the Norfolk Co-op has been there since I think 1918—is now restructuring under bankruptcy protection. These are just a few. There are so many empty retail stores in our downtowns, in particular in the town of Delhi, and those that remain were so dependent on a tobacco-based economy that they're barely surviving.

There's been considerable discussion, over the years, of alternatives to tobacco and alternative crops and ways of trying to enable growers to transition to other economic activity. Norfolk county alone was 30,000 acres dedicated to tobacco production. Again, it's not so much a problem of finding something to grow—you can grow just about anything down there except citrus, bananas and other tropical crops—it's a problem of trying to find something to grow that's not only profitable but sustainable, something that would provide a decent income for our families that will not collapse basically the ag economy, other commodities that grow on the Norfolk sand plain.

We can grow just about anything. The problem is, how do you market it and whom do you sell it to? That's the question, and that is a question that, in my view, does require the expertise of our Ministry of Agriculture and Food and some of our experts with respect to rural economic development.

If you look at the past, two diversification programs have been implemented for tobacco growers. One was called the alternate enterprise initiative program, which ran from 1987 to 1992. A second one was called the tobacco diversification program, and that one ran from 1994 to 1999. Few of the projects that were funded under either one of those programs stood the test of time. If we define a successful outcome according to whether a project resulted in a sustainable enterprise, then essentially these earlier programs were unsuccessful. Both of them really didn't make it.

1920

Based on these kinds of results, it would seem that there are few alternatives to replace tobacco. We have to bear in mind that any transition will take decades. Indeed, there were once some 3,000 or 4,000 and, at one point, up to 4,500 farm families growing flue-cured tobacco, again, in Brant, Oxford, Elgin, Norfolk and Middlesex. Thousands of families over those years have been put out of work and forced to close down and start over again. Now we have another 1,000 families who are threatened and forced to go right back to square one, in part as a result of the impact of this particular legislation and this government's—and I quote the health minister—"war on tobacco." What are these people going to do?

Again, a Norfolk county councillor went on to tell us, "You can grow anything in Norfolk county. Tobacco farmers have, over the years, built up the area to where you can produce almost anything." As he pointed out, "30,000 acres has an impact on everybody else if it's one particular commodity."

In 1988, asparagus, peanuts and tomatoes were all touted as the answer during the decline at that time in tobacco production. The asparagus industry just about collapsed, again, because of the increased acreage. We've certainly seen the very significant decline in ginseng prices. Again, this is where we need some help. This is where we need some market research.

This was a theme that was picked up by Harold Schooley. He testified before the finance committee. He's research chair with the Ontario Fruit and Vegetable Growers' Association. He made a case, and really gave us, and I would certainly say he gave this government, something to think about as far as future direction for the tens of thousands of acres in southern Ontario. Mr. Schooley told us that the overall economy of Ontario, especially in the counties that I've mentioned—Norfolk, Brant, Oxford, Elgin—is significantly impacted by tobacco. This was once a vibrant industry. He made reference to the 4,500 growers managing, at that time, 210,000 acres of land. They were producing over 100,000 acres of tobacco. Now we're down well below 1,000 or perhaps 750 growers growing 30,000 to 35,000 acres of tobacco on 70,000 acres of land that they own. The remaining land would be woodland or crop rotation; rye, for example. A further decline, obviously, is anticipated.

I would point out that, as Mr. Schooley was testifying, you could see tobacco farmers come into the back of the hall and walk into the adjoining room. The reason they were coming in was not to hear the finance committee hearings; they were coming in to submit their bids to exit the industry and to end two, three or four generations of tobacco farming.

Mr. Schooley went on to say that the present acreage generates over \$150 million just to the local economy, which obviously, would have a very significant impact if lost. But the decline to this level has caused not only untold hardship for their producers but also for local businesses and the local communities like Delhi, which I described earlier.

As tobacco acreage declined, government programs were set up in an attempt to enable an orderly transition into other crops. This did not work out very well. This is not easy. It's not easy to take a small tobacco farm with a crop solely oriented to Norfolk sand that's based on irrigation technology. It's very difficult. Tobacco farmers are not large. You can't replace it with corn and soybeans, for example. That's not viable. Part of my income comes from soybeans. I'm involved in a partnership. You need about 1,000 acres to put together soybeans. You can't grow soybeans on 50 acres, make a living and put your kids through school.

They need some kind of economic activity, ideally a crop to replace an income of about \$1,000 an acre to

remain viable. If not, they lose their farm. When a farmer loses their farm, they lose their house. The family is gone. You've got to move into town and maybe live in an apartment. However, because the acreage is so small, much of the alternative would be horticultural crops, but the acreage of these crops is very small as well. The people who are already growing the existing horticultural crops already have their customers. They're already filling that consumer demand.

A move by tobacco growers into these other horticultural crops would obviously create a supply imbalance, not only in my area but elsewhere across Ontario. It would create hardship for the existing horticultural producers and also for the new people coming in. There are examples of this happening already. I know that the last two falls I've certainly noticed in our area farmers disking down pumpkins that they had no market for, no ability to sell.

However, there can be a future for the horticultural industry to expand in our area and for tobacco farmers to be part of that. The tobacco belt—Mr. Schooley made this clear as well—has the potential to be the largest, the most diverse and the most innovative fruit and vegetable growing area in Canada. Tobacco farmers can take credit for building up the land. This weekend, I attended an opening ceremony for an interpretive centre at the St. Williams Forestry Station. The Norfolk sand plain was logged over in the mid-1800s. By the early 1900s, it was blow sand. People were forced off the land at that time. Since 1908, based under the St. Williams tree farm we have seen close to 100 years now of reforestation on the Norfolk sand plain, and part of that in more recent years, certainly from the 1920s, involved tobacco growers and what they did to bring that land back to production.

So we have an excellent land base. We have the kind of soil that is ideally suited to tobacco, but much of it is also suited to ginseng, asparagus, tomatoes and other crops. These soils are very productive. We're blessed as well with a climate that allows for the production of a very large variety of fruits, vegetables and herbs. Where else in Canada can you grow sweet potatoes and peanuts alongside tobacco? These are all southern crops. They do very well in our area.

The farms have access to abundant water for irrigation. They have the irrigation equipment, the greenhouses, the bunkhouses, the storage barns and the kilns for drying. The infrastructure is there. The local businesses are there to not only sell the equipment, especially the specialized equipment that's required for things like potatoes, ginseng and asparagus, but also the infrastructure is there to service that kind of equipment. They have the bunkhouses to house labour. I have worked in tobacco and have stayed in these bunkhouses. Farmers down there have the experience in managing the large labour crews that are required for tobacco, the same kind of labour crews that are required for most specialty and horticultural crops.

### 1930

In my opinion, there is an opportunity to enhance irrigation-based agriculture on the Norfolk sand plain. In trying to get away from some of the negative impacts of this legislation that will put farmers out of business, I ask this government to consider an idea to pipe raw water from Lake Erie to be used not only for irrigation-based agriculture but also, once it's properly treated, to serve municipal needs. Towns like Tillsonburg, Simcoe, Delhi, Cortland and Waterford are all on wells. There may be a business case to be made to pipe water to these communities, water that is available initially for agriculture and then, once treated, for municipal use. In fact, I would like to see this government explore the feasibility of Lake Erie water continuing to be piped north to serve communities like Brantford and Kitchener-Waterloo, which draw very heavily on the Grand River.

If I can go back to Mr. Schooley's testimony:

"We have the ability to grow right here,"—in Norfolk county—"using Canadian rules and regulations around ... food safety, worker welfare, pest control products"—I made mention of the insecticides, herbicides, fungicides and rodenticides, for that matter, that really have become a factor in modern-day commercial agriculture—"and environmental stewardship, produce that could replace imports from countries where we have no such control"—over what's sprayed on those products. "Furthermore, export opportunities abound, as we are a day's drive from half the population of North America"—and an hour and a half to Toronto, and can readily access, within a day, markets in both Chicago and New York City.

"Premier Dalton McGuinty has spoken about the 800-pound gorilla on his back called health care costs. What is now called diabetes is the fastest-growing health concerns for Canadians," and, I would assume, for this government. "Increasing the consumption of fruits and vegetables"—there is a link with alleviating such problems as obesity, cancer and heart disease. "Health-conscious eating has come into vogue, but it needs to become the norm. You have all heard the catchphrase, 'You are what you eat.'" There is a case to be made to have government involvement and incentives for Canadian horticulture and accrue those beneficial impacts to the health of Ontarians. Another factor to consider is if this government could see its way clear to helping with the transition out of tobacco farming.

"Our ethnically diverse, more health-conscious population has created opportunities for horticultural crop producers. The market for value-added and niche-market horticultural products is growing. This is expanding the demand for ... fresh and processed horticultural crops, for specialty crops like herbs and essential oils and for non-traditional crops," which are consumed by various ethnic communities in our larger urban areas.

Going back to ginseng, already the Norfolk sand that is used to grow tobacco is also the world's largest production centre of ginseng, right here on tobacco sand. But there's a lack of processing and a lack of packaging. Technology is really growing by leaps and bounds in the



horticultural industry. For example, I shared some freshly packaged apple slices the other day in the Legislature, actually, with the member from Halton, my seatmate Mr. Chudleigh. These apples by and large are empire apples grown in Norfolk county. They're sliced in Burlington. They're distributed through McDonald's. Again, there are alternatives for this land down here that this government is presently putting out of business. I think that was Mr. Schooley's main point. The government is putting one aspect of farming out of business down there, and it's felt locally that it is incumbent on this government to invest in research and innovation to try to bring along some alternatives.

The county of Norfolk has commissioned a report. It's entitled, *Norfolk at the Crossroads: Directions for a Prosperous Future in Norfolk County*. This was prepared by TACT, the Team Advising on the Crisis in Tobacco. One of the recommendations: "An agri-food innovation centre to be established in Norfolk will greatly enhance the capacity of local industry to capture new and expanded markets for horticultural products. It will also provide opportunities to add value to farm products, thereby increasing local jobs and profits. The University of Guelph will play a leadership role to coordinate research efforts and transfer knowledge to producers, processors and others in the value chain."

I've certainly had a number of discussions with farmers and with researchers locally, and I think there is a lot of merit in this idea of an agri-food innovation centre, a centre to bring into one location the research capability, the development, the information transfer, the technology development, whether it's for new crops, for value-added technology, really to pull together a cluster to create a synergy.

The University of Guelph presently operates what locally we call the hort station. It's on the Blueline. It's a horticultural research station just outside of Simcoe. Very significant research has been done already with respect to strawberries; of course, we export strawberry plants from our area. Research has been done with respect to raspberries, sweet potatoes, cabbages and cucumbers. I think the time is right for an ag innovation centre, potentially to rejuvenate and to invigorate this area. It's on its knees right now, actually, as a result of this particular piece of legislation.

As I discuss the impact of this legislation on tobacco-growing communities, I would be remiss if I didn't make reference to input to this government from the Ontario Flue-Cured Tobacco Growers' Marketing Board in the person of their chairman, Fred Neukamm. In testimony before the finance committee, Mr. Neukamm indicated that these policies, although intended to have one effect, are in fact causing unintended consequences which compromise the government's objectives. For example, high tobacco tax levels result in high demand for cheaper contraband and counterfeit products. Criminals make these cigarettes readily available to both adults and young people; they do not check for ID. According to government policies, high taxes supposedly restrict youth

access to tobacco products. In fact, high taxes can and are driving cigarettes into the hands of young people through illegal channels. As well, the government is losing tax dollars every day. There are no taxes paid on black-market sales. According to your own finance department officials, tax evasion is a recognized problem and was one of the factors taken into consideration at the time of the latest tax increase of \$1.25 per carton, rather than the \$2.50 increase that your government had been instituting before January of this year.

#### 1940

Current tax levels are also creating an upsurge in the value-for-money cigarette market. Consumers are demanding cheaper products. In contrast, Minister Smitherman has stated that it's one of his goals to increase the cost of cigarettes. The question is, what effect does cheaper imported tobacco have on this government's policy? The answer: It allows cigarette manufacturers to keep prices down while maintaining profits. Cheaper imported tobacco means cheaper cigarettes. That is a fact, and it's compromising this government's own health goals. Obviously illegal, back-of-the-trunk tobacco at \$25 or \$30 a carton, where you don't pay taxes in a native community, compared to the regular price of \$60, is quite a bargain. The price is down; the demand is up, especially among young people and that cadre of people who can ill afford high-priced cigarettes. It's simple economics.

We've recently heard of new money for smoking cessation programs, but the reality is that more must be done to curb the underground market, because the harder you make it to get legal cigarettes, the harder people will try to sniff out the cheaper, unregulated, counterfeit, contraband product. By allowing this criminal activity to continue, price-driven, you're essentially placing the health of these smokers at even more risk. Again, it doesn't make much sense to me.

Your policies have to take into consideration the real marketplace out there with respect to tobacco. I remind the members opposite that the government's tax hikes have seen the price of a carton rise by \$6.25 since November 2003. I've indicated that the number of smoke shops in my riding has risen exponentially. Again, why wouldn't people go there to pay \$25 or \$30 a carton? Why pay \$60 a carton? For that reason, we now have close to 300 smoke shops that have sprung up on both Six Nations and New Credit, just south of Brantford.

**Mr. John R. Baird (Nepean—Carleton):** How many?

**Mr. Barrett:** Close to 300, John.

We heard a lot of input and testimony from the corner stores in Ontario. I regret to inform you that while the Ontario Convenience Stores Association and the Ontario Korean Business Association took the time and effort to hold a media conference right here at Queen's Park, not one government member was present to hear what they had to say. By the same token, I am beginning to question whether any of the government Liberal members opposite will have the fortitude to rise in the House tonight to make a presentation to defend their own bill. However, we do have until midnight. We'll see if

anybody is going to speak up on their own piece of legislation, other than perhaps a token two minutes.

At any rate, for those of you present on the government benches who were not in attendance, I can tell you that Howard McIntyre, president of the Ontario Convenience Stores Association, did have some grave concerns about the direction of Bill 164. His association represents over 7,000 convenience stores within Ontario. They employ over 50,000 Ontarians just at the store level. As a whole, the industry generates over \$6 billion in economic activity every year. As well, the Ontario Korean Business Association serves another 2,400 stores. Every day in the corner stores across Ontario, 1.5 million people come in to purchase product.

The request at that news conference was to not amend the bill to allow a complete ban on back-wall retail displays. What did this government do? It amended the bill to allow a complete ban, albeit a ban that would not come into effect until the year 2008. What the McGuinty government has just done is created an election issue for 2007.

A couple of years' difference will really do nothing to mitigate the concerns of the convenience stores. They have the safety and the security issues that I mentioned before. The Korean businessmen have indicated to us that 30% of their stores will go bankrupt because of this legislation.

I am wrapping up. I regret that I have not—

**Interjection:** You're running out of time.

**Mr. Barrett:** I know we have until midnight. I would like to speak further. I would like to address the issue of Royal Canadian Legions and veteran halls that have been done in. I would like to address the issue of those charities that will lose their source of income from bingo halls.

Am I being cut off, Speaker?

**Mr. Baird:** On a point of order, Speaker.

**The Acting Speaker:** I regret to say that your time is up, but there's a point of order by the member for Nepean—Carleton.

**Mr. Baird:** On behalf of the member for Haldimand—Norfolk—Brant, I would like to ask for unanimous consent that his voice not be silenced and that he be given an additional hour to speak.

**The Acting Speaker:** Is there unanimous consent that we give the member an additional hour? I don't think there is.

I'll move now to questions and comments.

**Ms. Shelley Martel (Nickel Belt):** There are a couple of things the member had to say that I agree with and that need to be reinforced, although I understand that he's going to be voting against the bill and I will be voting in favour.

I must say that through the course of this bill and until we really had farm representation before us, I really didn't understand the extent to which farm families are suffering in Ontario right now. That became very painfully obvious during the course of the public hearings. I know the bill hasn't been passed yet so I'm not blaming

that on the bill, but certainly there has been a decline in people smoking that has seriously impacted upon farmers who are involved solely in tobacco production. Frankly, the government response of about \$35 million is just not going to be adequate at all.

It is very clear that we need substantial federal and provincial government response. It needs to be quite dramatic, it needs to start now and it needs to go over a long period of time if we are going to be able to move farm families out of tobacco production and into some other agricultural crop that's actually going to provide a living for them. I say that to the government. Once this bill is passed, this government had better be on top of what's happening in the agricultural community, particularly with respect to these farm families.

Secondly, we heard a lot from the corner stores about how a ban on retail advertising in their stores is going to impact on them. That is why we as New Democrats suggested a couple things. Number one, the government should look at some of the extensive tax revenue that it has brought in from cigarettes and actually apply some of that to government promotion in retail stores. The government has brought in well over \$222 million in new cigarette revenue in two of the last three tax increases. They have more than enough money to actually promote healthy advertising in a number of corner stores. We said they should increase the commission on those retail outlets that are selling lottery tickets. We felt there were other producers who would come forward and want to use the space behind the counter if cigarette advertising is no longer there.

All of those things could happen. The government should do that now, and the government should also make sure that all advertising is banned by 2006.

**The Acting Speaker:** Questions and comments?

**Mr. Ernie Parsons (Prince Edward—Hastings):** The member for Haldimand—Norfolk—Brant—

**The Acting Speaker:** I'm sorry, I haven't recognized you yet. The member for Prince Edward—Hastings.

**Mr. Parsons:** —a prince of a fellow; easy to remember—presented some very interesting information on smoking, on the affected businesses, on the loss of revenue to them and the loss of revenue to the government, and on smuggling. I don't know a lot of detail about that. It was informative. But I'll tell you what I do know. I know that as a young teenager I held my mother's hand while she died of lung cancer. She never smoked a cigarette in her life, but she sat around those who did. Every year in Ontario we lose 16,000 people needlessly. We lose not only them but their family and their friends in the community. Society has paid too high a price for cigarettes.

I support this bill with every ounce of my body.

1950

**Mr. Joseph N. Tascona (Barrie—Simcoe—Bradford):**

I am pleased to comment on the statements made so far by the respective members. Certainly this is a serious issue and it calls for the question, based on the comments made by the member from Prince Edward county—the



legalization of smoking is at the federal government level. It's the federal government that legalizes the right to use a drug such as nicotine. This is a legalized drug. That's what's troubling about this debate. No one disagrees that smoking can be harmful to your health, but what we have here is a legalized product. I think the member from Haldimand–Norfolk–Brant has put out the position of trying to balance it in terms of the farmers who have made a livelihood off this product and the convenience store owners and retailers who try to sell this product, because it's a legal product.

The provincial government gets involved in the debate and they're now going to regulate it, because they have the right to regulate trade and commerce under the Constitution. At the same time they're stamping out smoking, tobacco, the federal government is talking about legalizing marijuana—the federal Liberal government, I may add—so the debate becomes almost nonsensical in terms of what we're trying to do.

To the member across, in terms of what he's saying about the harmful effects of smoking, nobody disagrees with that. The cost to the health care system is in the billions, and that's something that has to be balanced off against the competing economic interests and the rights that flow from the federal government allowing this product to be legal.

**Mr. Peter Fonseca (Mississauga East):** As the member for Prince Edward–Hastings said so eloquently, this legislation is about protecting all Ontarians, the 16,000 who pass away due to tobacco-related illness every year. This legislation is also about improving our economy, improving tourism and improving the hospitality industry.

The member for Nepean–Carleton also speaks of Ottawa. We know that in Ottawa, once they went smoke-free, they increased the number of hospitality establishments by 181. We heard many presenters from Ottawa speak to us at committee and they talked about the increases they have seen in their business. People now are going into establishments where they couldn't before because of the smoky environment and due to asthma and many other ailments they were experiencing. That's what we have found in Ottawa.

South of the border, New York City went smoke-free. They increased the number of jobs in New York City in the hospitality establishments by 10,300. They've also seen revenues go up.

We had a chance to travel around the province, going up to Sudbury and seeing how well their smoke-free bylaws have gone over in that city.

This legislation on World No Tobacco Day is around protection, around preventing youth from starting to smoke, the cessation program, \$50 million being invested to help protect Ontarians from the harmful effects of second-hand smoke, but also to help Ontarians from ever starting to smoke. We know our youth are preyed upon daily by the big tobacco companies.

It's something we should all be proud of and all support.

**Mr. Baird:** On a point of order, Mr. Speaker: I think if you ask for unanimous consent, the chief government whip would grant an additional two-minute hit.

**The Acting Speaker:** Is there unanimous consent to allow an additional two-minute response? Agreed.

**Mr. Baird:** Thank you very much. I want to thank the members. That's very kind.

I want to speak to the speech and remarks, which I listened to with great interest, by my colleague from Norfolk county. I will say that there is no member of this House in my 10 years I have been here—he is not afraid to stand up for what he thinks is right and is not afraid to stand up for his constituents. No member I have worked with do I consider myself more proud to have associated myself with than the member who currently represents Norfolk county. He is a defender of his constituents. The issue may get tough, it may be politically incorrect, it may be difficult, it might make him unpopular in some circles, but that member will always stand up and fight for what he believes is right. That is a big compliment I'm paying the member. I am very proud to call him a colleague and a friend, and he is by far one of the most principled people in public life that I have had the pleasure to work with.

He speaks about the smuggling going on there, the 300 smoke shops that he was talking about where smuggling takes place. He talks eloquently and fights hard on behalf of the family farms in his riding. The member for Nickel Belt talked about how his efforts to get this bill to committee helped shed light—even someone who supports the bill has a better understanding of the reality that farm families have in his part of the province. And I agree that \$35 million in transitional funding isn't enough. There has got to be more that we can do to help. Decreasing the amount of smoking is a good public policy issue, and I think we all support that, but we have to do more for our family farms.

I share so much of what the member from Norfolk had to say, and I want to associate myself with his principled objection to this piece of legislation.

**The Acting Speaker:** I turn now to the member for Haldimand–Norfolk–Brant. You have two minutes to reply.

**Mr. Barrett:** I appreciate the opportunity to respond.

The member for Nickel Belt was a real trooper travelling around on these hearings. I think she might agree with me that we did accrue a wealth of information on those hearings. We really did hear the other side from the corner stores, the restaurant industry.

I regret I didn't get an opportunity in my limited time this evening to even address the restaurant and tavern issue, the designated smoking room issue. I didn't get a chance to talk about the cigar stores. I didn't even get a chance, in my limited time, to talk about the Royal Canadian Legions, the army, navy and air force clubs.

The member for Prince Edward–Hastings raises the issue of health. In the very first testimony on the first day of hearings, Tobacco Farmers in Crisis raised the issue of health and what they consider the untoward effects on health when illegal tobacco comes on the market, the

price comes down, young people buy cigarettes from a van, they have no idea what they're smoking, and government has no idea what is being sprayed on this tobacco that's grown in tropical countries.

The member from Barrie—Simcoe—Bradford raises the issue of the legality of tobacco and made an interesting comparison with marijuana. You know, this investigation really didn't do any comparison with tobacco versus marijuana usage amongst young people, let alone the comparative fines.

The member from Mississauga East spoke yesterday, probably the last Liberal to speak on this bill.

To the member from Nepean—Carleton, my former seatmate, what can I say? I appreciate his comments. Again, he has made it clear there is a lot more to this issue than is on the surface.

**The Acting Speaker:** Further debate?

**Mr. Frank Klees (Oak Ridges):** Before I make my comment, perhaps I could ask for unanimous consent for the member from Haldimand—Norfolk—Brant to be given some additional time. He has indicated that there are a number of areas he would like to address. I am sure members in this House would want to hear the comments he has yet to make. I'd seek that unanimous consent, and I hope the members will grant it.

**The Acting Speaker:** Is there unanimous consent? I heard a no.

The member for Oak Ridges has the floor.

**Mr. Klees:** I'm disappointed in that, because I would have expected that members from the Liberal Party, who, it will be observed, will not be speaking to this bill tonight—I find it very interesting that they wouldn't take the opportunity to speak to a very important piece of legislation, other than the two-minute comments, given the far-reaching implications of this legislation. So I will take my opportunity.

2000

I have 20 minutes, and within that 20 minutes, I want to address a number of issues relating to this bill. I will be voting against this bill, and I want to put on the record my reasons for doing so. I will start, Speaker, by confirming what you well know: I am a non-smoker. No one will deny—I certainly am a strong proponent of government doing whatever it possibly can to ensure that individuals are given assistance and are encouraged not to smoke.

As my colleague previously indicated, here is the problem that we face in this country: We have a product that is legalized for sale by the federal government of this country, we have an entire industry that is based on it and we have many people who are addicted to this drug. Now we have a provincial government that is introducing legislation here, and all the while, we have a federal government saying there's nothing wrong with this product. In fact, we have a federal government, as my colleague indicated, that is now saying, "In addition to tobacco, we will find justification to decriminalize marijuana. We're going to add one more product to the menu that people

have to choose from, to create further difficulties and challenges in our society."

I want to address something that is more of a general nature before I get to the specifics of the legislation. There's a perception, wrongfully so, that it's the Liberal Party that is the great protector of civil liberties. I'd like us to take a close look at what has happened in the very short time that this Liberal government has been in office. I think it's important for people to understand what this government is doing to change the face of our society.

It started off with Bill 8. You'll recall that that is a piece of legislation introduced by this government that effectively stripped hospital boards of their authority; that, in the area of health care, effectively took away any local ability to deal with health care issues. It put into the hands of the Minister of Health an authority that no Minister of Health has ever had and effectively said, "Do you know something? Volunteers, citizens in this province, we're not interested in your input. The government knows best."

Then we move on from there, and we see a government that introduced legislation to tell the citizens of this province what kind of dogs they can own: the pit bull legislation. We have an Attorney General who, rather than deal with the many issues of community safety that we are facing in this province today—we have young people being murdered on schoolyards, we have all kinds of challenges within our inner cities, and this Attorney General takes the time of this Parliament to introduce pit bull legislation that tells people you can't own a particular type of dog and totally misses the opportunity, as proposed by Julia Munro on our side, of dealing with the real issue of dangerous dogs.

Furthermore, we have this Minister of Education, who stands in his place, and what does he do? The Minister of Education for this province, instead of dealing with the real issues that are facing students and parents in this province—the same Minister of Education who, while he was on the campaign trail along with his Premier, the wanting-to-be Premier at the time, promised parents in this province that their autistic children would receive support in our school system beyond the age of six—

**Mr. Baird:** What a lie.

**Mr. Klees:** —now that he is the Premier, now that he is the Minister of Education, takes it upon himself—

**Mr. Baird:** Like a rug.

**Mr. Klees:** —to drag the parents of autistic children into the court system to keep from giving them—

**The Acting Speaker:** Please take your seat. The member for Nepean—Carleton made a blatantly unparliamentary remark and I would ask him to withdraw it, please.

**Mr. Baird:** Withdrawn.

**The Acting Speaker:** The member for Oak Ridges has the floor.

**Mr. Klees:** This same Minister of Education and this same Premier who committed during the campaign period, while they were lobbying and scratching for votes in



every part of this province, are now saying no to parents of autistic children. They take all kinds of time and effort and resources to go into the court of our land to challenge those parents who are simply trying to get the kind of support for their children that they need. This Minister of Education spends his time saying there are snack foods that are off limits in the schools of our province. Banning of snacks is more important to this government than doing the right thing for the citizens of this province.

And then we have before us the greenbelt legislation, Bill 135. That greenbelt legislation—

*Interjections.*

**Mr. Klees:** I find it ironic that these people over here, first of all, aren't giving us the same credit that we give them when they speak, to listen to them. There are catcalls that come across the way because I want to point out—

**The Acting Speaker:** You're absolutely right. I would ask the government members to please come to order and allow the member for Oak Ridges to make his points. Member for Oak Ridges, I apologize for interrupting again.

**Mr. Klees:** Thank you, Speaker. I simply want to make this point: We have a Liberal government that is eroding the rights and privileges of the citizens of this province incrementally. The greenbelt legislation strips property rights from landowners and tells them not what the local municipalities should be doing, but strips local municipalities of the right to rezone and do the planning, and it is this government, the cabinet, the Minister of Municipal Affairs, who are now telling people where they can live and what they can and cannot do with their property.

Bill 136, the Places to Grow Act, is one more encroachment on the property rights of citizens in this province. Then they go on and pass regulations about how high the temperature can be in your water tank. How much more intrusive can a government become in the affairs of their constituents?

I now want to turn my attention to this act, because it is one more encroachment on the rights of citizens of this province. As I've said before, I am in full support of doing whatever we can to reduce smoking and its harmful effects. This bill, however, does something very different. This bill encroaches on the rights of individual citizens. It places the government in a position of saying, "I know best." But that's consistent with how this government is going about its business, you see. The cabinet ministers know best what is good for the average citizen. The cabinet ministers know what people should be doing in the privacy of their own private spaces.

We have veterans in this province who now attend their Legions, and it's against the law, according to this government, for them to smoke. These are veterans in my riding of Oak Ridges who were willing to lay down their lives for people in this country so that we could have freedom, so that we could have rights, and this government now has the audacity to reach into their own private space in their Legions and say, "You know what? It doesn't matter that you're mature. It doesn't matter

what you've done for our country. We're going to tell you how to live your life."

That's fundamentally wrong. That's why I'm opposed to this. It's the principle of telling individual citizens that their rights are being taken away by this government.

**2010**

I want to read to you some of the comments from individual businesses within my riding. I think if we listen to the words of ordinary Ontario citizens, it may make some impact. I know it won't on members of the government, because they've made up their minds; they've been told how to vote; they've been told to be single-focused on this issue and not to worry about any other facts that may be brought to their attention. But do you know what? What I'm hoping—and I'll count on this—is that at least people in our communities who are observing this debate will be able to draw their conclusions about the type of government that they have when they hear the words of individual business people within our communities.

You know well that it was government that imposed the designated smoking rooms on businesses in this province. It was government that said, "Go out and create designated smoking rooms. Spend hundreds of thousands of dollars constructing those, and we will then allow individuals in those designated smoking rooms within restaurants and within hospitality facilities to smoke. We will let those who prefer not to smoke be in a smoke-free environment." That was government. As a result of that, there were hundreds of thousands of dollars spent in this province by business people on those designated smoking rooms.

Now this government comes along and says, "Oh, by the way, that was yesterday. That was then. We're now going to override all that, and we're going to force you to eliminate those. It doesn't matter that you've invested all this money. It doesn't matter that you may lose business as a result of that. We're going to wash our hands of that, you see."

I want to read to you a letter that I received from Imran Sheikh and Tariq Noor, who are the owners of Shoeless Joe's, a restaurant in my riding. It reads as follows:

"Let me begin by emphasizing my support for province-wide"—

*Interjection.*

**Mr. Klees:** Speaker, I'm going to ask my colleague the member from Nepean to stop heckling.

**The Acting Speaker:** And perhaps he'll listen to you; I would hope he might.

If the member for Nepean–Carleton and the Minister of Tourism and Recreation wish to have a conversation, would they please take it outside of the chamber.

We'll return to the member for Oak Ridges.

**Mr. Klees:** With all respect, I consider this important. If other members don't want to listen, I would at least expect some respect in terms of putting this on the record.

This letter reads as follows:

"Let me begin by emphasizing my support for province-wide legislation. However, the development and imple-

mentation of provincial smoking regulations must recognize the realities of the industry in Ontario. First, while everyone welcomes the decline of smoking in society, 20% of adults in Ontario or 1.8 million people still smoke." That's just simply a reality. "Second, in businesses like mine, a disproportionately high number of customers are smokers. Finally, designated smoking rooms (DSRs) have been legislated in several Ontario municipalities and hundreds of operators have invested in DSRs to accommodate their non-smoking and smoking customers and protect employees from second-hand smoke.

"In my business I have invested \$60,000 in a DSR. There is no doubt in my mind that if we are not able to accommodate smoking patrons, my business will be severely impacted."

I have another letter here from Salvatore Morra, owner of Spezzo restaurant, another establishment within my riding.

He says this:

"I just wanted to voice my concern with the upcoming Bill 164. As a proprietor of a smoking establishment, I feel after investing in a designated smoking room we should have the opportunity to recover the money invested in such rooms. Furthermore, after discussing with staff on this issue, they have concerns about their future in the hospitality industry." Due to their concerns about their future in the hospitality industry, they ask me to bring this issue to the attention of the government.

I have in my possession many, many other letters from very concerned business people in my riding.

I oppose this on the principle that there should be choice in our society. In fact, there should be encouragement by the government to help people stop smoking. There should be an investment on the part of this government in ensuring that people understand the importance of good health. But simply to pass legislation that encroaches on individual rights, on personal choice, is fundamentally wrong.

I want to close by saying this—and how consistent this legislation is with this government's encroachment on individual rights. It's a bill that is before the House as we speak, and it's the adoption bill. In that bill, this government once again is showing disregard for the rights of human beings, of individual citizens in this province. Even the Information and Privacy Commissioner of the province of Ontario, an officer of this House, has made it very clear to the minister and to the Premier that she opposes the legislation on the basis that it encroaches on the privacy, the right to privacy, of Ontario citizens.

That legislation is going to open up the records of any adoptee, an adoptee parent, an adopted child. For those individuals, regardless of what the circumstances were around the adoption, they can go back years and seek and get information about the adoptive parents, about the location and the history of the individuals. I am on record as supporting an adoption system that provides access—and on a go-forward basis, if what we want to do is

ensure that absolute and open disclosure, I would even support that. But for this government to retroactively interfere and encroach and take away those privacy rights is yet one more encroachment on the rights and the freedoms of the people of this province.

There is a common thread that runs through the legislation that has been brought forward by this government. It's a common thread that effectively says to individual citizens of Ontario, "It doesn't matter what you think. It doesn't matter what your preferences are. We, as a government, don't care about individual choice. Government knows best." Well, that is not the Ontario that I know. It is not the Ontario that the vast majority of citizens in this province have embraced. I believe that this government is overstepping its boundaries, is overstepping by degrees incrementally, but the electorate of this province will awaken to what this government is doing to them, to their freedoms. I'm opposing this legislation on the principle that Ontarians should have choice.

#### **The Acting Speaker:** Questions and comments?

**Ms. Martel:** With respect to Bill 164 itself, the piece that I do agree with, which was referenced by the member from Oak Ridges, has to do with those individuals, those bar and restaurant owners who, operating under the municipal bylaw that was in place at the time, spent money to create a designated smoking room, believing that they would have the period of time of the bylaw to recoup the amount of money that they borrowed or put out to build that DSR and who are now, of course, with this legislation before us, finding out that they will not, in fact, recoup that money. Some—not all, by any stretch of the imagination—could be out a significant amount of money. That is why, during the debate on second reading and during the course of the public hearings, when we had some of those bar owners and restaurant and tavern owners before us, I made it very clear that I did think the government should look at compensation for those restaurant owners who had made that decision, operating, as I said, under the law that was in place at the time, the municipal bylaw that made it perfectly within their legal rights to do what they did.

I have spoken about a precedent that was set by the previous government, who provided compensation to a number of tourist operators in northern Ontario when the government, through its own policy, cancelled the spring bear hunt before the last election.

But I have also said very clearly to those restaurant owners that I agree that the legislation should ban all designated smoking rooms. I think we heard enough information during the course of the public hearings to make it clear that you can't have a smoking room that truly works, that smoke isn't coming out of, that will protect other patrons in other parts of the restaurant. I think we heard a lot of information during the course of the public hearings to show that as evidence for us. I agree with the approach that was taken by my own municipality, which was to ban smoking altogether and to not allow designated smoking rooms. However, for



those municipalities that did, I think the government has some kind of obligation to deal with people who operated within the law at the time.

2020

**Mr. Dave Levac (Brant):** I have just a quick comment. We're talking about compensation. Compensation on tobacco alone would be \$1.4 billion, and then I took some time to take a look at the compensation package for all of the other circumstances that the member opposite was talking about. We're talking about somewhere in the neighbourhood of a \$6.7-billion compensation package, and I think that would be irresponsible. Quite frankly, it's a very expensive compensation package the member is talking about. I've got 16,000 people a year dying on this side. I choose to try to affect the 16,000 people who are dying.

**Mr. Baird:** The member opposite here says it's too expensive. They can't afford to pay it because it's too expensive. I say to him, what about the small business people that my colleague from Oak Ridges talked about? It's too expensive for them as well. Just because we have the power of the state, to come down on property rights is inexcusable. If it's too expensive for the government to pay, I'd suggest it's too expensive for these small business people like the restaurant owner who was quoted by the member for Oak Ridges.

I want to associate myself with the remarks of the member for Oak Ridges. The absolute disdain that this government has for property rights—there's a pattern here. It's not just this bill. It goes back to the Adams mine. It goes to this bill. It goes to the greenbelt. It goes to the heritage bill. This government has a disdain for private property and the rights of the men and women, the hard-working taxpayers, who own that property. As the member for Norfolk county says, it's government knows best. When we talk about an issue—what about these designated smoking rooms? What if we ban staff from going in these separately ventilated rooms? All the arguments disappear, but it's no.

**Mr. John Wilkinson (Perth-Middlesex):** Who's going to clean them?

**Mr. Baird:** Well, they're separately ventilated. They can be cleaned after hours when the establishment is closed, I say to the member opposite.

But it shows that this is social engineering on steroids. This is a government that has no respect for private property and little respect for our veterans, whom the member for Oak Ridges also spoke about. Frankly, these members should all be ashamed of themselves.

**Hon. Christopher Bentley (Minister of Labour):** This bill—and that's what we're debating—is about the dangers of second-hand smoke. Medicine and science resolved the issues decades ago. Society has debated the issue for decades. It's now time to act on the science, protect the lives of people. Everybody has had adequate notice. Let's pass the bill.

**The Acting Speaker:** That concludes our time for questions and comments. I'll return to the member for Oak Ridges for his two-minute response.

**Mr. Klees:** The self-righteous attitude of the government member is just unbelievable. We've had decades, he says, to debate this. If that's the case, if tobacco is so bad, then why don't you make tobacco illegal? Why not deal with the issue instead of crippling businesses?

The member from Brant talks about a \$6.7-billion compensation package. Does he realize that what he's doing, if his numbers are correct, is taking \$6.7 billion out of the economy in one fell swoop with this piece of legislation? How can he possibly justify that? How can he do that?

*Interjections.*

**The Acting Speaker:** I would ask the House once again to come to order and allow the member for Oak Ridges to conclude his two-minute response.

**Mr. Klees:** I think we've hit a nerve, and the nerve is that these members of this government are coming face to face with the reality that they are changing the face of Ontario in terms of what people—

*Applause.*

**Mr. Klees:** You know, Speaker, the cynicism of their applause speaks to the level with which they understand what they're doing. They are interfering with the basic fundamental rights of citizens in this province. They can't get beyond their performance. They can't get beyond what they're told to do. They can't get beyond the fact that they are instructed to come into this House and support anything that is presented to them by their ministers. I challenge the members opposite to think for yourselves, think about the implication of this bill. Rise up and protect freedoms in this province. But I know they won't.

**Mr. Baird:** On a point of order, Mr. Speaker: I would like to seek unanimous consent to move the following motion with respect to this evening's debate on Bill 164:

That when the debate on the motion for third reading of Bill 164 adjourns this evening, that it be considered to be one full sessional day and that the following members be deemed to have spoken to third reading: the member for Nepean—Carleton, the member for Simcoe—Grey and the member for Barrie—Simcoe—Bradford. That would allow the debate to conclude this evening and for us to all work on other important issues within our constituencies.

Can I get unanimous consent, Mr. Speaker?

**The Acting Speaker:** The member read it rather quickly, but the member has sought unanimous consent to move that motion. Is there consent in the House to do so?

There is not consent. I heard a no.

Further debate?

**Mr. Jim Wilson (Simcoe—Grey):** My colleague Mr. Baird I think made a generous offer just a moment ago to the government members, to say that if you really care about anti-smoking and anti-tobacco, this being World No Tobacco Day, that you actually embrace the unanimous consent that he asked for a minute ago, because that would allow the three of us speakers to sit down and not say anything and allow this bill to proceed on its merry way.

First of all, I want to congratulate the Essa Challenge, the Essa township challenge, which is an annual event in my riding and Garfield Dunlop's riding, because it covers both ridings, Barrie and Essa township, right next to Barrie. It's called the Tangle Creek golf tournament, Tangle Creek being a five-star golf course in my area. It's all about raising money for Cancer Care Ontario, which is part of this bill tonight, in terms of cancer being, unfortunately, a result of smoking too much.

The fact of the matter is that for years we in Essa township and in Barrie have been raising money for cancer and raising money for the cancer treatment centre in Barrie. Unfortunately, in spite of the fact that it was announced years ago, in spite of the fact that fundraising is going on right now—both for a four-bunker cancer treatment centre in Barrie and a four-bunker cancer treatment centre in Newmarket, which would serve the south ending of my riding from Alliston south to Highway 9 into the GTA—this government hasn't moved at all. They've been in almost two years. They've done nothing to advance the cause of cancer treatment.

2030

Today we heard the Minister of Health, the Honourable Mr. Smitherman, talk about the fact that we have the longest MRI wait list in the province. I was northern minister, and Mr. Bartolucci is here tonight as northern development minister. The fact of the matter is that they're longer than Thunder Bay; they're longer than Sudbury. It's twice as long as Thunder Bay and Sudbury in Barrie, because we live in the shadow of the GTA. We live in the shadow of Toronto. So when the Ministry of Health does its statistics—and I don't care if it's the David Peterson government, the Bob Rae government or Mike Harris's government—we can't seem to correct it. We live in the shadow in terms of statistical purposes.

2030

So they think we're getting great cancer treatment in Collingwood, Owen Sound, Barrie, Creemore, Stayner and Alliston, but the fact of the matter is that we're rolled into Toronto's statistics, which you don't suffer from in Sudbury or Thunder Bay. The fact of the matter is that we get the worst treatment in Ontario right in central Ontario. We pay the highest taxes. We have some of the most prosperous people. Some 27,000 people a day go down Highway 400 to commute to Toronto from Barrie and my riding and then go back again at night, suffer through gridlock, suffer through things that this government has no answer for, and at the end of the day, we end up on the same waiting lists in Toronto as Torontonians, which is horrible. Because our address isn't in Toronto, frankly—as a former Minister of Health, and I would never admit this when I was on the government side, but I'll admit it now—you end up behind them. If your address isn't Wellesley Street or Avenue Road in Toronto and it's Barrie, Alliston, Creemore, Stayner or Thornbury, you end up behind the Toronto list when you go for cancer treatment in Toronto. It's sad.

I had a brother die of cancer at 38 years of age four years ago. He left behind 10-year-old twins. He had to go

to London for his cancer treatment. It was disgraceful then; it's disgraceful now. This government promised that it would control waiting lists, that it would do something, and they've done nothing. If you're in my riding today, you go from Owen Sound to London, you go from Collingwood to London. Why London is in our catchment area, I don't know. I have to drive through Toronto to go to London. I have to drive past Princess Margaret to go to London. If you have breast cancer, you go to Sudbury from my riding. So the poverty regions, and I've never been able to convince them—and I don't blame the Liberals totally; I was never able to convince my own government and I couldn't convince their government. The fact of the matter is, if you have cancer in my part of the province, you're split off, you're left as a statistic in the shadow of Toronto. So the government thinks they're looking after you, and I don't blame George Smitherman or others, they think they're looking after you, but the fact of the matter is that our travel times are greater than most of Mr. Bartolucci's constituents. That's the fact.

I was northern minister for almost three years, and I used to run around and they used to say, "Oh, woe is me," and I used to say, "You've got an MRI. We don't have an MRI in central Ontario." Barrie has one, but it's half operational. There was something in question period today to say they would make it fully operational. Fine. I wish you luck, and I hope for the best. You've got to deal with the union. That's the stumbling block up there, not the fact that the government hasn't oodles of money to give these people to work after hours.

The fact of the matter is that the worst cancer treatment according to Cancer Care Ontario's own study is within an hour of Toronto. It's not in the north; it's not. You had the machines before we had the machines. When I became northern minister, they used to criticize me because the only thing I could say was that my great-grandfather was a butcher just outside Sudbury, and he was, for longer than Rick Bartolucci's family has ever lived in the north. But I was never accepted as a northerner. Fine. It hurt me. It hurt me a lot. The fact of the matter is—

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** Ah.

**Mr. Wilson:** Thank you, Rick. It hurt me a lot—  
*Interjection.*

**Mr. Wilson:** Ah, Rick, you sympathize with me one day and you piss on me the next. That's your life. Sorry, Mr. Speaker, I shouldn't have used that.

**The Acting Speaker:** I would ask you to refrain from that sort of language in the interests of the institution.

**Hon. Mr. Bartolucci:** You really hurt me.

**Mr. Wilson:** I possibly hurt Rick Bartolucci. It's the Liberals. They're far better at this than I could ever be in my life.

Anyway, I just want to say thank you to the Essa Challenge, which takes place every year in July—July 26 this year. I hope everyone signs up. It's to try to get us four bunker units for a cancer treatment centre in Barrie



and four in Newmarket. It was announced by our government in 2002. Unfortunately it didn't take place. We're looking to this government to do the right thing. If you look at the statistics, the fact of the matter is that we're worse off than the north, we're worse off than southwestern Ontario and we're worse off than Toronto. It's a shame because of the way the statistics are run out of the Ministry of Health.

There's also the smoking bill tonight. I want to support this bill. I think it's abhorrent that we have these high cancer rates when we could avoid them.

We also have the cancer Ride for Dad, which I personally support to the tune of several hundred dollars a year—my own money, not my riding association money or anything. By the way, I make less today than I made in 1987 as assistant to the Honourable Perrin Beatty. I hope you're listening over there, cabinet ministers, because we get paid terribly. But it's the Ride for Dad for prostate cancer. About 500 motorcyclists take part in that every year. I want to say that Joe Tascona, I and Garfield Dunlop—and I'm sorry, I don't remember everyone's riding at the moment—but the Simcoe county MPPs support the ride, we support the Essa Challenge every year at the golf course, and we want people to remember that they need to sign the petitions that we have out there. They need to really push the government. The squeaky wheel gets the grease. We need a cancer treatment centre in Barrie, we need one in Newmarket, and it's the only fair thing to do. The reason I mention that is that I look at Cancer Care Ontario's list, and it's not necessarily as scientific as people think it is, having been a former Minister of Health and health critic for five years, and Minister of Health for two and a half years. The fact of the matter is that the squeaky wheel does get the grease. The fact of the matter is that the stats support central Ontario, but you've got people from Kingston, Ottawa and others on the list before us. I know the patients out there are equally deserving of cancer treatment, but the fact of the matter is, it's worse in central Ontario and it's time that this was dealt with by governments.

I want to read a letter here from Dr. Hazel Lynn, who is the medical officer of health for Grey-Bruce. She's very supportive of this legislation, and I promised her I would read it into the record. It's dated May 10, 2005.

"Dear Mr. Wilson:

"I am writing with regard to Bill 164—Smoke-Free Ontario Act—currently before the Legislature. Grey and Bruce counties have enjoyed smoke-free workplaces and public places for almost three years and I am very pleased that all Ontario residents will soon have the same protection upon implementation of this act.

"I strongly endorse the amendment to Bill 164 which proposes a ban on all tobacco displays of any type at retail."

Now, I'm not sure that's true. I mean, it's true, but it's 2008, I think, before the power displays—which means probably another government. Probably this will be, I hope, a Conservative government's problem to deal with after October 2007, because these weak-kneed, weak-

minded Liberals, who promised to be the most anti-tobacco people in the world, in spite of unemploying my constituents and those in Mr. Barrett's riding, in spite of ignoring tobacco farmers, which was a legal product for years, in spite of all of that, they were going to be the most anti-tobacco. They were going to meet Michael Perley and the anti-tobacco Nazis that we deal with, that I've dealt with for 19 years of my life. They threaten you. I can remember when they took out ads, Michael Perley and Garfield Mahood and all these people you paid for under the public health administration to be anti-tobacco. I can remember when they took out ads against Leo Jordan—and I'm sorry, Mr. Speaker, I don't remember the names of the ridings back then; that's not my fault, so it shouldn't be cut off—Mike Harris and Bob Runciman because the four-plated printing for Players cigarettes was done in their ridings. I can remember that they took out ads saying, "You're killing babies in Ontario." The Liberals lapped it up.

Now, I'm not sure this particular bill solves all the problems that were meant to be solved in those days, but the fact of the matter is that they hurt people in order to save lives. From my nine years of theology, that's not right. Two wrongs don't make a right. You make your point on a positive point; you make your point on saving people's lives, but you don't tear down people. As the Honourable Reverend Wally Downer, who was the Speaker for 38 years in this House, prior to the Honourable George McCague being elected in 1974 in my riding—and by the way, my riding has been Conservative since Confederation at the provincial level, the only one in Ontario to be so. Reverend Canon Wally Downer used to get up and say, "I didn't come here to this meeting to tear down others to build myself up." He was a Presbyterian minister, and he was great. He wouldn't approve of this sort of attack on small business owners, for example.

There's an article here from the Windsor Star, a Liberal-based newspaper if I ever read one in my life. I was Minister of Health and this newspaper never gave me a break once, never. I actually announced a cancer centre, which is now built and which Papatello opened. I announced it, paid for it in Windsor and they called me a liar on the day that I turned the sod for that, because Papatello was part of the rat pack back then, the absolute rat pack, biggest liars I ever met in my life. But I shouldn't say that, because it's unparliamentary, and I withdraw it.

**The Acting Speaker:** Thank you.

2040

**Mr. Wilson:** But they got away with it. They got away with it because they're Liberals. I sat through seven all-candidates meetings where Mark Redmond, a retired teacher, ran against me, and he called me a liar at all seven meetings. It was a pattern. We'd be about six minutes into it, and he'd say, "You're a liar." I'd say, "Sorry, politics doesn't mean that much to me; facing my God at the end does." I don't mean to be holier than thou, because I'm not. In my private life, I'm probably horrible—

*Interjection.*

**Mr. Wilson:** I'll speak up. You've all been out drinking with me.

But the fact of the matter is that I take public life and the trust that people put in us very seriously, and that's not what occurred.

The cancer centres—going back to this anti-smoking bill—were promised by Mr. Redmond. How do you send out a guy for seven all-candidates meetings, he checks with headquarters three times, as he told the media, and they say, "It will be built in Barrie, it will be built in Newmarket"? The cancer centres will be built, just like Highway 26, which you've cancelled. There are no bulldozers on it, and it's construction season.

**Mr. Garfield Dunlop (Simcoe North):** That's disgraceful, what has happened with Highway 26.

**Mr. Wilson:** Garfield Dunlop, my colleague from next door to my riding, would agree.

*Interjection:* Simcoe North.

**Mr. Wilson:** From Simcoe North, thank you, and Simcoe—

*Interjection:* Barrie.

**Mr. Wilson:** Barrie. We sat through seven all-candidates meetings in my riding, five in yours, too many in Joe Tascona's, and they were going to build this cancer centre. People sat there and they believed you. You're a bunch of people who don't live up to your word. You don't. How did you let candidates—how did headquarters say to these people, "We're going to build your cancer centres," and then you didn't? You haven't, and you've done nothing, absolutely nothing. You're a disgrace. We had to sit through it. We sat through it night after night after night. After 12 years in this Legislature, I had people show up at all-candidates meetings—

*Laughter.*

**Mr. Wilson:** You laugh. You laugh because you're a disgrace. You're a disgrace to human beings. You're a disgrace to anyone who was ever born on the face of this earth, because you lied.

**The Acting Speaker:** I would ask the member for Simcoe—Grey once again if he would please withdraw that remark.

**Mr. Wilson:** I withdraw. I shouldn't call them that, but what do you do? You're asked as a young kid to go to confession, and you're asked to say, "I hurt my mom," "I stole 20 bucks," "I stole 10 bucks," "I stole an eraser" or whatever. But you go through seven all-candidates meetings as a Roman Catholic and you find out that these guys aren't telling the truth at every one of them. I used to say to Mark Redmond, the Liberal candidate, "That's not the way it's going to work. You don't know. Your headquarters is not telling you the truth." He would still spiel it out. He promised the people of Barrie and my riding and Newmarket a cancer centre to deal with smoking, to deal with all the things that cause cancer.

The reason that's so sensitive for me is that my brother died three years ago at 38 and left behind 10-year-old twins. He died. That means a lot to me. I thought we'd have a cancer centre. He had to go to London, which is

two and a half hours, through Toronto. You promised it, and you've done nothing, absolutely nothing. You should be ashamed of yourselves. I don't know how you face your God in the end, I really don't.

**Hon. Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** What did you do?

**Mr. Wilson:** Shut up. You don't know what you're talking about. We announced the cancer centre. We were going to pay for the cancer centre. We were moving ahead with the cancer centre. You've cancelled it, just like you have Highway 26.

*Interjections.*

**Mr. Wilson:** Well, it's very personal with me, it's personal with my family, and it's personal with my constituents who have to drive hours, longer than Mr. Bartolucci's constituents. I was northern minister for three years. I know what I'm talking about. You guys have ignored central Ontario.

I'm sorry there were mistakes made in the past. But cancer centres weren't known until a few years ago. The first ones were built by the NDP, and I give Ms. Martel and everyone credit. Bob Rae, in a spending spree, did a great job of, for the first time, opening major cancer centres. As Minister of Health, I remember I opened Princess Margaret with Princess Margaret. I opened St. Mike's with Prince Philip. I opened a lot of things because the NDP had done it, so I hope they speak next.

But it's very personal. Don't get up at an all-candidates meeting in the future—if you don't like me now, fine—and promise things that you know you're never going to do, right?

Gerry Phillips said there was a deficit of \$2 billion. He knew there was a deficit. We knew there was a deficit. I wasn't going to take a \$9,000 cut in pay. I dealt with an \$11.6-billion deficit under the NDP back in 1995. Your \$5.6 billion, or whatever you made up—I think it was \$2.2 billion, but whatever you made up—could have been dealt with. You just had to freeze civil service wages, by the way, for one year to make \$5 billion, and you had \$3 billion in extra revenue from corporate and personal income taxes and PST. So I don't know.

Greg Sorbara went to St. Mike's with me. I don't know how he faces the same God I do. I have no idea how he does that. I have no idea. He lives down the highway from me. I don't know how he does it, because the fact of the matter is, you promised one thing, and you've done nothing. It's a shame. You've made my family feel horrible.

The fact is, this anti-tobacco legislation I support. But at the end of the day, people do smoke. At the end of the day, people do get cancer. At the end of the day, we need cancer centres in Barrie and Newmarket. You promised them. I said that I would do the best I could to build these cancer centres. I didn't get up at seven all-candidates meetings and say, "I will build them." But your guy did, and I got criticized, criticized, criticized and criticized. At the end of the day, I told the truth. I said, "We will build them as we have the money to build them." I just want



you to remember that. I don't want any more elections like that. I intend to be here for another 20 or 30 years.

*Interjection.*

**Mr. Wilson:** Rick might be too.

I hope we don't have more all-candidates meetings like that. You don't know how demoralizing that is to the soul, to know that the poor guy next door is reading what Liberal headquarters gave him and he doesn't know the difference. You have to rethink the way you run elections.

It's the same thing when we were never going to end rent control in Toronto—I have an apartment in Toronto, as many of you do—but you guys would put under the door before every election that the Tories were going to end rent control. That was the first dirty trick. We haven't had it in Simcoe-Grey yet; you start it in Simcoe-Grey and I'll run you out of this country. But the fact of the matter is, you've done it in Toronto. You've been scoundrels in many areas of the province. Just stop. Let's call a truce and let's have a more civil debate. I'm sorry for being uncivil tonight, but it's very personal.

You promised something. You've been in almost two years, and you've done nothing about it. Yet the local communities are working their hearts out to raise money for these cancer centres.

This is an anti-smoking bill. I support it. At the end of the day, you should support the cancer centres in Barrie and Newmarket.

**The Acting Speaker:** Questions and comments?

**Ms. Martel:** I'm not going to focus on the cancer centres. We did announce a number of them, and I was happy to see that they were built to support people close to home.

I do want to focus, however, on the one aspect of the bill that really reflects a broken promise by the government with respect to this legislation. Before the election, the Liberals said very clearly that they were going to ban over-the-counter and behind-the-counter advertising of tobacco products. The reality is that the legislation we are dealing with tonight does not ban behind-the-counter advertising of tobacco products.

The fact is that in every retail establishment across this province, retailers can continue to have as many packs of cigarettes behind the counter, behind the cash register, as they want, in all their glory, all acting as an enticement to young people to try to get them to start smoking. That's the reason why the tobacco industry spent \$88 million in 2003 on retail advertising in corner stores, because they know how powerful an attraction and incentive that is, particularly to young people who are coming into convenience stores regularly during the course of the week.

We heard over and over and over again during the course of the public hearings that if the government really wanted to ensure that young people didn't start to smoke and become one of those cancer statistics 20 years from now, then the government should ban all tobacco advertising at point of sale in retail stores—all, not just on the counter by 2006 and behind the counter by 2008. All that's going to happen during the two years that this government allows behind-the-counter advertising of

tobacco products to continue is that thousands and thousands more young people will be attracted to start smoking, to become addicted, and to become the cancer statistics 20 years from now.

This government had an opportunity to ban advertising, like they promised. They should have done that in this bill, and done it by 2006.

2050

**Hon. Mrs. Chambers:** I rise to reflect on the reality that this issue is indeed very personal, as the member across the floor has suggested. It's personal for just about all of us. I don't think any one of us can say that we have not had a family member or a friend cut down all too soon either through smoking themselves or through secondary smoke.

I recall visiting Niagara College for their convocation last year. It was a delightful event. I spoke to these young, aspiring men and women. A couple of weeks later, I was visiting Niagara with my husband and went into a restaurant and met one of the graduates from that convocation, who came and introduced herself to me. She sat and chatted with us for a bit and told us that she was so happy to be able to find a job where she did not have to inhale second-hand smoke from her customers. Here I was, looking at a young person; some of us think that perhaps they're not as wise as the rest of us are, but I was touched by the fact that for years she had had to earn income to pay her way through college at risk to her personal health.

I am very proud to be a member of a government that is prepared to make this very bold step. I certainly have sympathy for those who will have to look for other sources of revenue as a result of not being able to sell cigarettes, but I'm totally committed to doing the right thing.

**Mr. Tascona:** I want to join in the debate. The comments made by the member from Simcoe-Grey were very emotional.

The issues facing the much-needed cancer care centres for RVH in the north part of my riding and Southlake Regional Health Centre in the south end of my riding are very, very important. I was at Royal Victoria Hospital on Friday. There are situations where individuals in my riding have to get their chemotherapy in the morning in Barrie and then go to get their radiation treatment at Princess Margaret here in Toronto, both in one day. Those lengthy travels obviously have a tremendous impact. It's frustrating for the community. I'll say this, though: The fundraising efforts for Southlake and RVH are truly tremendous and the volunteer work going on is fantastic. One of the things they're raising with this wristband we have—it says, "I believe." That's what people in the area are purchasing just to make sure that everybody knows they're behind the cancer care centres 100%.

There's one other area I want to comment on, and I mentioned it before. The federal Liberal government legalizes the tobacco product and at the same time they're also looking at legalizing marijuana, yet here in

the province of Ontario, the provincial Liberal government is looking at regulating tobacco and banning its use. I don't even know why it's here. If they feel that strongly about it, why wouldn't the provincial government have said to the federal government, their cousins, "Stop tobacco smoking"? That would have been the end of the story, and we wouldn't be dealing with this. This is what the problem is.

**Mr. Jeff Leal (Peterborough):** I share the very personal side that the member from Simcoe-Grey talked about. I lost my father at age 63 due to lung cancer. I lost my mother at age 66 due to lung cancer. The ironic thing about my mother was that she was a nursing supervisor at St. Joseph's in Peterborough for 40 years. During my mother's career as a nurse, the way she coped with the stress of the nursing occupation was to smoke. So I do take this very personally.

When I had the opportunity to get on Peterborough city council, one of the first things I was involved with was developing an anti-smoking bylaw in the city of Peterborough. At that time, it was one of the leading bylaws, and it was a bylaw that was copied by other jurisdictions across Ontario. When I had an opportunity to look at people who were impacted by second-hand smoke and by the 16,000 people who die prematurely in the province of Ontario, I always thought it was incumbent upon me—then, as a city councillor, and now, with the privilege of representing the residents of Peterborough in this Legislature—to bring forth a piece of legislation that I think could go a long way to address a very serious problem.

As I said, I do share with the member from Simcoe-Grey the very personal side of this issue. I think we have an obligation and a responsibility to move this legislation forward. One of the things that I find particularly problematic is the young women who are now smoking. We know there's a direct link between smoking and breast cancer and other serious cancers that particularly afflict young women. I feel that anything we can do to bring this legislation forward is very important, and I think it's important that we pass this legislation as quickly as possible.

**The Acting Speaker:** That concludes the time available for questions and comments. The member for Simcoe-Grey has two minutes to respond.

**Mr. Wilson:** I want to thank the last Liberal member who spoke—very kind—and the Minister of Training, Colleges and Universities, Ms. Chambers, and the member for Nickel Belt, my friend for many years, Shelley Martel.

The fact is: Could you please pressure your health minister and others? There was a commitment made. There are cancer patients who are driving longer distances than northern Ontario. We get ignored in central Ontario because of the way the statistics are skewed: They are skewed in favour of the GTA, but they must realize that people in my area actually get in line behind people in the GTA and Toronto. It's not sustainable and it's not fair.

I want to say to my colleague from Barrie-Simcoe-Bradford, who wears the bracelet that says "I believe"—I had one on until this morning, actually, when I took it off for some strange reason, because no one seemed to know what this blue bracelet was. It's "I believe." It's a campaign we've had going for months, sponsored by the Bank of Montreal, in the Barrie area and in my area.

You will probably give a great challenge to Joe Tascona and me politically if you actually build the cancer centres. Bob Rae did it. He had no reason, in a riding that's been Conservative since Confederation, to expand our hospitals or to build things, but they did it. They did it because the population is there. I read about the 905 every day. My colleague Julia Munro needs a cancer centre—she's a cancer survivor herself—in the Newmarket area, but we also need one in the Barrie area. It's a no-brainer. You're going to do it anyway. Why don't you announce it, put a spade in the ground and get going? At the end of the day, you're going to have to do it anyway. The numbers are there, the patients are there, and the impatience of the local members is there also.

**The Acting Speaker:** Further debate?

**Mrs. Julia Munro (York North):** I welcome the opportunity tonight to speak to this bill. I think back, as many of you might as well, to the way in which cigarette smoking was, at one time, very much a socially acceptable thing to do. There wasn't a movie that didn't portray the key characters smoking. It was all part of being sophisticated, being—

**Mr. Wilson:** Cool.

**Mrs. Munro:** Yeah, cool. It was part of the whole image of the individual. You had arrived if you smoked. Advertising? If you look at old advertisements, how many people were smoking? And they weren't advertising smoking; it was all part of that image projection that we all saw and were influenced by. I know that many people my age saw that as something that was like a rite of passage, that you had to start smoking. It's very interesting when you look at those old movies now and you see all the characters smoking.

**2100**

I mean, even ashtrays have become obsolete. I can remember that, as a young bride, some of the gifts I received were ashtrays, because no home was complete without an ashtray or a dozen. I can remember that if you objected to anyone smoking in your house, there was really something wrong; you just didn't understand social mores. I had a sign, before it was popular, saying that my house was a non-smoking house, and I remember serving coffee to people who said to me, "I can't have a coffee without a cigarette," so I put out only three cups for coffee, because obviously the fourth person wasn't going to have it. When he saw that I had only put out three cups, he said, "I think I'll have a cup of coffee." I thought, "That's fine, as long as you don't smoke in my house."

I thought it was really a coming of age when we saw municipalities take hold of that issue and start, on their own initiative, to introduce bylaws that restricted smok-



ing. It demonstrated the kinds of problems you had when, on one side of the busy street, there were bars and restaurants that allowed smoking, and on the other side of the street, there were those that did not.

It is that issue that I think is part of the problem we look at today. We saw the bylaws then, and the very heated debates that took place in those municipalities where they undertook to introduce non-smoking bylaws. They were constantly wrestling with the issues around what areas it would be allowed in and what areas it would not.

I remember, as I'm sure everyone remembers, visiting people in hospitals. I also remember when doctors smoked in their offices. I remember when you had to run the gauntlet, as you went into the hospital, of all the people, both staff and patients, who were outside the hospitals smoking. I remember a very close family friend of ours who sat under an oxygen tent. My husband visited him just prior to his passing away, and he asked my husband to help him take the oxygen tent off because he had a cigarette stub in his pyjama pocket. He died two days later. It spoke to the incredible addiction that smoking represents.

We're here looking at this particular bill in the context of that history, a history that has gone from a very, very socially acceptable—in fact, almost envied—kind of behaviour to today.

My problem with this bill, in addressing the idea of a smoke-free Ontario—which, fundamentally, I agree with. I'm actually very allergic to tobacco smoke. I learned that in my late teens when I of course wanted to join the cool group who smoked. I discovered that was not going to be part of being cool for me. But I am very concerned when governments decide to have a societal good that has not addressed the issues of people who stand to lose by those rules.

I'm concerned about entrepreneurs. In York region, there was a natural reaction, in terms of the health issues and things like that, with regard to having a smoke-free York region. In an effort to try to balance the interests of smokers and non-smokers, they introduced the whole notion of smoking rooms. In good faith, those entrepreneurs, those restaurant and bar owners, made those changes to their restaurants and their bars. That's where I feel that the government has overlooked that issue.

Yesterday, I raised this issue in a brief response in debate, and the answer the government gave was that a very small percentage of entrepreneurs are thus affected. It's a good thing, I guess, that there is a small number, but I think we have an obligation to that small number. When you offer something like a smoke-free Ontario, you have to consider that there are losers in this initiative. I think it's important for government to be sympathetic to those people who are adversely affected.

We're talking about people who have made those investments, some of which, in my riding, are \$100,000. You have to sell a lot of coffee or serve up a lot of beer to pay for a \$100,000 investment, particularly when it now

becomes obsolete. Those are the kinds of things that the government has not taken into consideration.

Much has been made about the commitment by the government to offer transition money to the agricultural community, yet when we look at the fine print, it appears that has been glossed over. They're not being provided with the kind of support they believed would be available to them.

I want to talk for a minute about another group of people that have been left out of this conversation: the people who are psychiatric patients, the people who live in residences, for whom tobacco is basically their one and only diversion. There should have been some consideration provided for those people. They have very few appropriate outlets. Many of them have chosen tobacco. It's very unfortunate that those people are not in this conversation. They are not provided for in the limits of this piece of legislation. They are very often residential. This is their home. This is the only place. When you start thinking in terms of workplaces and public places, it's to the exclusion of those people who live permanently in those residences and who rely on that kind of diversion.

#### 2110

Lastly, I have to talk in the same way—well, not quite the same emotional way—that my colleague from Simcoe-Grey talked. Obviously, I'm very sympathetic, as a cancer survivor, to the whole issue of the impact of tobacco. I'm also very sensitive to the importance of providing cancer care to everyone in this province. I'm also very conscious of the need for investment. I was really shocked when, in our local newspaper, the information was made public a few months ago that York region has a higher cancer rate, in both breast and prostate cancer, than anywhere in the province. So I will use this opportunity to make a similar plea that we provide cancer care for the people in the area. Being able, throughout the trauma of cancer treatment, to have it closer to home is extremely important and something that all the families and the community, frankly, who provide the volunteers to do the driving, appreciate.

In my riding, there has been an indication of support, but we need to have more than that. We need to have cancer treatment at Southlake. We are buoyed by the fact that the community has rallied. The kind of money that has been raised to support the interests of Southlake in providing cancer treatment to an ever-growing population is obviously extremely important. We were extremely pleased by the fact that Magna, as one of the largest employers in York region, has contributed \$8 million to a cancer treatment centre at Southlake.

The notion that the community is very much behind this initiative makes it all the more poignantly urgent for us to see the government of Ontario come forward and provide the kind of support and money that would allow people in York region, as well as south Simcoe and as far north as south Muskoka, to be able to access the kind of treatment that is life-giving, frankly.

We can't divorce this government's initiative on providing a smoke-free Ontario from the need to provide treatment as well. When we have a 42% increase in cancer in York region, it comes as an alarming message to all of us on the importance of providing cancer treatment.

The whole government initiative on creating a smoke-free Ontario is one that they claim has to do with reducing the dangers of second-hand smoke, and first-hand smoke, obviously, and the carcinogenic influence it has. But hand in hand with that has to be the commitment to extend cancer treatment, particularly in areas where there is an identified need.

We are on the point of something that's quite historic, when you look at the change that has taken place in the public from the notion that smoking was a cool thing to do, was certainly socially acceptable, was something that you should do if you really wanted to demonstrate your sophistication. Those of us who remember receiving all the ashtrays—I don't know what other people have done with their ashtrays over the last few years. Some of them were really works of art.

But I do think that as we're on the brink of making this kind of landmark legislation, there are two things that we have to remember: You can't ignore those people who are paying a huge personal price for a societal good. I think the government is missing an opportunity to respond to those people who, in good faith, have made those kinds of investments, and who therefore should have some kind of support from the government, and the people who are frail, are fragile in our community, who do have tobacco as one of their very few diversions. And finally, the importance of providing cancer treatment in an equitable way across the province. My community has made a very significant financial contribution. It has risen to the challenge, and we would hope that the provincial government will do the same.

**Mr. Baird:** On a point of order, Mr. Speaker: I'd like to ask for unanimous consent to move the following motion with respect to this evening's sittings on Bill 164: That when the debate on the motion for third reading on Bill 164 adjourns tonight, it be considered to be one full sessional day, and that the following members be deemed to have spoken to third reading: the member for Nepean—Carleton, the member for Simcoe—Grey and the member for Barrie—Simcoe—Bradford.

**The Acting Speaker:** Is there unanimous consent to move a motion? I heard a "no."

Questions and comments?

**Ms. Martel:** I want to just say a few things with respect to the comments that were made by the member from York North. The first thing I want to do is to acknowledge her own fight with cancer, and to say as a member of the public accounts committee who sits with Mrs. Munro that I for one was very glad to see her return to this assembly and to that committee after her many, many months of battle with cancer. It's been very good to have her back. I for one, and I'm sure all members, wish her very well.

One thing that struck me about what she said was that there was a time when there wasn't a movie that didn't portray actors smoking. She could also have said that it wasn't that long ago when in every movie theatre and cinema you went into, people were allowed to smoke. It wasn't that long ago, but it's funny: When you talk to people who are younger than me and you relate that story to them, they find it hard to believe that that could be the case.

Having said that, I think it speaks to the reason why we need to be sure that we make smoking as abnormal as possible, that we denormalize smoking, that we make sure that young people understand that the majority of people in Ontario don't smoke and don't think it's a good thing.

That is why I remain very distressed by the fact that the government refused to accept an amendment that I moved at committee, which would have banned tobacco advertising behind the counter. I did this because we heard from so many young people during the course of the public hearings that seeing 200 or 250 packages of cigarettes in a retail store behind the cash register makes them think that it is normal. It makes them think that thousands and thousands of people smoke, and that it's OK. Really, the government should have done what it promised in the election and banned tobacco advertising, not just on the counter but also behind the counter at point of sale, if we're really going to encourage young people not to start smoking in the first place.

**The Acting Speaker:** Further questions and comments?

2120

**Hon. Madeleine Meilleur (Minister of Culture, minister responsible for francophone affairs):** I wanted to say to the House tonight that I was part of the government in Ottawa after amalgamation when we passed a bylaw to have a non-smoking city. That was the one thing that we did where we were recognized by the whole population and thanked for what we had done. First of all, it is a minority of the citizens who smoke. We speak sometimes as though it were the majority, but no, it's a minority. The people were very thankful. Now, when we visit other cities where you go into a restaurant and they ask you, "Smoking or non-smoking?" we're shocked. We feel strange, because it's something that is never asked.

I was listening to the member from York North. You brought up a lot of good points, because in hospitals, nurses and doctors were smoking—not in their offices, but at the desk—and the patients were smoking. Now, reflecting on that, I'm wondering why we were doing that. For those who didn't smoke, it must have been terrible to sit in a room with a lot of smoke. As a nurse working in the delivery room, I was always amazed that a mother in labour, almost ready to deliver, would want to smoke. At that time, they were permitted to smoke in their rooms. So I hope that we're going to adopt this bill, and I hope that pretty soon we will have a smoke-free Ontario.



**Mr. Robert W. Runciman (Leeds–Grenville):** At the outset, I want to compliment the member for York North, Mrs. Munro, for her contribution to the debate this evening, and to compliment her personally. As I think all of us in this House know, she's had her own challenges and battles with cancer. I've heard many of us talk this evening about family members and other loved ones who have faced these challenges, but we have here in our midst a member who has faced this challenge in the recent past and has shown great courage in her battle. I can tell you how proud we are of her and of what she's done. I don't think it's been referenced here during the discussion.

I personally support the legislation. I have concerns about certain aspects of it: certainly, the treatment of private property and of the people who have made significant investments in their businesses and who are now receiving no recognition for that whatsoever from the Liberal government. I think we can move rather expeditiously on this legislation.

The concern on this side of the House is related to the adoption legislation and to the government's intransigence in terms of crown wards and the ability to have a veto with respect to retroactivity for crown wards. We're talking about a very small number of people: people who have been victims of incest, victims of sexual assault. We're talking primarily about women here. We've asked the government to recognize that concern. I think we can move forward on a range of issues that are on the agenda at the moment. I want to put that on the record, and I'll elaborate more later this evening.

**Mr. Pat Hoy (Chatham–Kent Essex):** I'm pleased to rise and make a few comments about this very important piece of legislation for our government, Bill 164.

I chaired the committee hearings, and it was mentioned that various municipalities had introduced bylaws on their own in this regard to control and ban smoking in public places. I don't think it was ever mentioned that Chatham–Kent is one of those municipalities.

Through the hearings, we did hear from many persons, groups, organizations and individuals who said that what we must have in Ontario is a level playing field. We have jurisdictions that have smoking bans, and right across the street, where that jurisdiction happens to end as a municipality, there is not a smoking ban. People were really looking for a common law, something that applied to each and every jurisdiction, for the betterment of the public at large. Bill 164 does that for those persons. Consistency will arrive in Ontario at the passage of this bill, and I hope that will happen here tonight.

We've learned a lot. The member opposite said it was cool to smoke at one time, and indeed it was. Most high school and university students, at one time decades ago, found the notion of smoking to be cool. People wanted to fit in. I think that, in some regard, when teens are asked not to grow their hair long, that's the first thing they do, is grow their hair long. Ask them not to smoke, and they'll smoke. When I could, I grew my hair long, and all manner of costume might have appeared on me as a

youth. But it will be incumbent on us as a government now to ensure that, along with this ban on smoking in public places, the youth of today know that smoking is not cool. We must protect future generations of youth here in Ontario.

**The Acting Speaker:** The member for York North has two minutes to reply.

**Mrs. Munro:** I certainly appreciate the comments made by the member for Nickel Belt, the Minister of Culture and the members for Leeds–Grenville and Chatham–Kent–Essex.

The member from Leeds–Grenville, and obviously the government members, talked about support for the bill in its general concept. The concern is the people who have been left out of the changes. That's something that is of concern. I certainly agree with the member from Chatham–Kent–Essex when he referred to the patchwork that was developing across the province. As I said in my remarks, on one side of the street, there could be no smoking, while on the other side there is smoking.

I just offer this suggestion too: We have to be really careful about where we eliminate and reduce people's choices. I thought it was very interesting that businesses chose to put up signs, in areas where there was smoking, that said, "This facility is smoke-free." Then people had a choice. Those businesses did not go out of business; in fact, people flocked to them. Some of that kind of opportunity should be available. In this particular piece of legislation, we have to be very careful to protect everyone's rights.

**The Acting Speaker:** Further debate?

**Mr. Baird:** I'm pleased to rise to speak on this debate tonight.

I bet there are all kinds of people watching this on television saying, "Why is the Speaker calling on another speaker?" because it's 9:30, and at 9:30 the House adjourns. I think we need to explain that the government is turning up the heat, trying to hold us hostage. We're going to sit until midnight, and no one's allowed to leave until Dwight Duncan gets what he wants. Well, where's Dwight Duncan? Is Dwight Duncan here tonight? Dwight Duncan—

**The Acting Speaker:** I ask the member for Nepean–Carleton not to refer to other members of the House by their surnames, and I would also ask him not to make reference to the absence of any member of the House. He knows full well that those particular habits are not tolerated.

**Mr. Baird:** I apologize, Speaker.

Who is keeping you here? They're trying to put the sauna on, trying to turn up the heat, and to say to the opposition, "You'll do everything we want or this House will sit around the clock until we get what we want." It's a terrible tactic.

Do you really think it's the government House leader who's calling the shots on this? No, no. It's the whiz kids in the Premier's office who are calling the shots. I look here in the phone book: Don Guy. Where is Don Guy? Don Guy is keeping all of you folks here tonight. Where

is Don Guy? I'll tell you. He's not having to stay late at work. He's probably at some five-star, chi-chi, frou-frou, hoity-toity restaurant, while you guys have to work until midnight.

2130

**Mr. Runciman:** On a government expense account.

**Mr. Baird:** "On a government expense account," no less, says my colleague here.

Why isn't David MacNaughton here? Where is David MacNaughton? I'll bet you someone said to David MacNaughton, "Don't worry, you don't have to be there. We'll make all those backbenchers be there." This is what David MacNaughton probably said: "Don't worry, there are lots of hungry backbenchers who want to be ministers"—they've got them on a short leash, because there's a rumour of a cabinet shuffle coming—"and they will all stay there." And someone said to him, "But you don't want to have to stay here, David. You're an important man. You've got decisions to make, chi-chi restaurants to go to. Why would you want to stay here?" "I don't have to stay here," he would say. That's what I bet.

Let's look at who else. Bert Clark: Do you think Bert Clark is here tonight? Where's Bert?

**Hon. Mrs. Meilleur:** Who's Bert Clark?

**Mr. Baird:** Bert Clark has a lot of influence, I say to the minister, more than you guys do.

Robert Silver. I bet if Robert Silver were here—he's not, but I bet if he were—he'd be saying, "Boy, aren't they suckers?" If he could speak in this House—I bet that's what he's thinking.

*Interjection.*

**Mr. Baird:** He's gone, the minister says. He's not here.

**Mr. Runciman:** Don't forget Matt Maychak.

**Mr. Baird:** I haven't gotten there yet. What about Gerald Butts? Do you think Gerald Butts is here tonight? I like Gerald Butts. Gerald's a good guy. Why does he bother? He doesn't have to stay here till midnight. All of you have to stay here till midnight. Gerald Butts doesn't have to stay here.

What about Kate Keefe? She doesn't have to stay here. Dave Pryce wouldn't be here. What about Charrissa McQuaig? She's not here. She says, "No, we have junior underlings to do that. They're called caucus. They'll have to stay till midnight."

**Mr. Runciman:** Nobodies. That's what Pierre Trudeau called us.

**Mr. Baird:** That's what the former leader of the Liberal Party called members of Parliament: nobodies. These are all disciples of Trudeau.

What about Karli Farrow, the director of policy and research? I have to tell you, I like Karli. She used to work for me. Karli Farrow was an intern in my office. She did a fantastic job, and I'm glad the Liberals have kept her on. She's a very smart woman. What about Aaron Dobbin, David Harvey, Alex Johnston, Erin McGinn and Jamison Steeve? Where are they? If this were important, they would be here, but they don't have to be here.

**Mr. Runciman:** Where's Matt Maychak?

**Mr. Baird:** Matt Maychak said, "We're going to play hardball with these guys. Make these backbenchers stay late." I bet you they'd have to say that.

Let's look at who else is not here. Look at the communications team in the Premier's office. They're firing 757 nurses, but we've got Jim Warren. I like Jim Warren, actually. I won't talk about Jim. He's a good guy. But we've got Meghan Lauber. We've got James Ip. We've got Tony Rossi. We've got Jennifer Tracey. We've got Terri Lohnes. Oh, Terri. I went to Queen's with Terri. I like her. She was on the student government when we were at Queen's.

**Mr. Runciman:** You like too many of these Liberals.

**Mr. Baird:** I do. I get along with these Liberals. I'm the most non-partisan partisan guy you'll find, I say to the opposition.

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Nepean—Carleton, please take your seat. I've watched the clock, and it's been some time since I've heard a reference to Bill 164 or to smoking. You did ask me at one point where these people are. Far be it from me to warn you, but you should know that some of these people may have a legitimate family or personal reason, so you should tread carefully.

**Mr. Baird:** Thank you, Speaker, for that guidance.

Matt Maychak: Now, Matt—

**The Deputy Speaker:** Member for Nepean—Carleton, please sit down. I told you that I want to hear about Bill 164. Get to it quickly, please.

**Mr. Baird:** Thank you, Speaker. Matt Maychak would have us believe that this bill is going to solve all the problems of world, but if Matt Maychak thinks this bill is so important, where is he? He should be here, but he said, "No. We'll have our people come and show up for the debate on Bill 164."

**Mr. Runciman:** The nobodies.

**Mr. Baird:** The nobodies. "We'll make them stay. They'll come." I like Matt Maychak too. Have no doubt about it: Matt Maychak will have a lot to say on who gets in the cabinet. Matt, if you're watching, I could rhyme off the people here to support Bill 164. Matt Maychak would want to know, because he will be one of key people who gives advice to the Premier on who will get in cabinet.

I know it must be awful. I look at people who have been here for 10 years, a well-respected member like Pat Hoy, who is here. He has to watch Steve Peters ruin the Liberals' support in rural Ontario—ruin it. The Minister of Agriculture obviously has little, if any, influence in this government, and someone like Pat Hoy comes here every single day and has to put in his time watching the Minister of Agriculture preside over a 23% cut in his budget.

*Interjection.*

**Mr. Baird:** That's not true? Well, go to page 29 of the budget papers, top of the chart: Greg Sorbara tabled the facts in this Legislature. But Pat Hoy has to come here every day and watch this bumbling minister bumble along. Matt Maychak knows. It's a short leash.



*Interjection.*

**Mr. Baird:** I know my friend Wilkinson here, from Perth, would make a fine Minister of Agriculture.

**The Deputy Speaker:** No, no. Let's get an understanding. You have been warned once tonight that you don't use the first names. You can use the name of the person's riding. I have listened to a few of them, and I think now it's time to abide by the rules.

**Mr. Baird:** Thank you, Speaker. The member for Perth—Middlesex: Now there would be a Minister of Agriculture who could fight for tobacco farmers. That minister is not doing a good job, but the member for Perth—Middlesex would do a fine job in fighting for tobacco farmers, don't you think?

**Mr. Runciman:** What about Peter Fonseca?

**Mr. Baird:** Peter Fonseca? He's in health; he's the PA. He's here. The Minister of Health is here too. I'm glad to see him here, because poor Fonseca has had to defend this bill all night by himself—

**The Deputy Speaker:** Order. I want to remind the member for Nepean—Carleton that that gentleman is the member for Mississauga East.

**Mr. Baird:** Thank you, Speaker. The member for Mississauga East has had to defend this bill all evening. I'm glad the Minister of Health has come to join us. They probably heard my speech that said, "Bring in some of the bigwigs." "I'm not coming in," said some of the staff. "Get the Minister of Health in."

**Mr. Runciman:** They knew you were in trouble.

**Mr. Baird:** They're feeling the heat already. I could go on. They do have a lot of staff. Christine McMillan: She's the director of operations in the Premier's office. They probably have people here, instead of helping Bill 164 pass—"We'll just get the caucus to stay here," they probably said.

I could go on. Minister Smitherman is here. I apologize, Speaker: The Minister of Health is here. I'm glad to see he's here. I also notice that his hardworking assistant, Abid Malik, is here. Abid is here, and if it's good enough for Abid, where are all the people in the Premier's office? Poor Abid Malik has been here all night, working hard on trying to get Bill 164 passed. I've been trying to help him get this bill passed; as the health spokesperson for the Conservative Party, I've been trying to help my good friend Abid get this bill passed. But they've abandoned Abid here to try to pass this bill by himself. I know where Abid would rather be. He would rather they turn off the sauna, turn off the steam room and all the political heat and have a more honest debate about this. That's what Abid would say if he could speak here. But I will be Abid's voice if he can't speak in this place, because Abid's a good guy. I like him. He's here today to talk about Bill 164, the tobacco bill. I could go on and on.

2140

I could also go on about other areas. My friend the Minister of Northern Development and Mines was the one member who said no to getting out of here at a reasonable hour, to say no in support of the terrible

tactics of the whiz kids in the Premier's office. Bartolucci is here, but is Alexandra Dostal here? No. Is Joanne Campea here? No. Is Tammy Bender here? No. Is Lindsay Maskell here?

**Hon. Mr. Bartolucci:** Yep.

**Mr. Baird:** Is Lindsay here? Where is Lindsay?

**Hon. Mr. Bartolucci:** She's over there.

**Mr. Baird:** I don't see her. The gallery's empty. They don't have to be here. Lindsay doesn't have to be here. Lindsay, if you're watching at home—she has probably got a Diet Coke in her hand and her feet up. Lindsay's not worried about Bill 164 and the high-pressure tactics of the McGuinty government. Lindsay probably said, "Rick is here. I'll just go home," and Lindsay's at home having a nice Diet Coke with ice and maybe a little lime in it. She's probably watching American Idol or CSI or something like that. She just says, "I'll let the minister stay here. I don't have to be here to discuss Bill 164." Christine Fish probably said, "I'll put this on the minister's schedule and he'll have to attend." Thank God she doesn't have to attend. Julie Santoro was probably on her way home—

*Interjection.*

**Mr. Baird:** Sorry. Julia Santoro. The government phone book made a mistake. You better complain to your friend the Chair of Management Board. There's a mistake here. There are so many political staff that they make mistakes when they put them in.

**Mr. John Milloy (Kitchener Centre):** John, how are you voting on the bill?

**Mr. Baird:** I'll be voting against the bill.

**Mr. Milloy:** Why?

**Mr. Baird:** Because I believe in property rights.

We know where all the whiz kids in the Premier's office are: They're all at home.

But they've got the yoke around them. It's the end of the session; it's coming up to the two-year anniversary. Traditionally, that summer is when they have the big cabinet shuffle. The Minister of Health is here now. The Minister of Labour was here. He's got a certain strident step nowadays. He's been here a little while and has done a good job, and he's on the way to a cabinet promotion. But I think the Minister of Health is going to stay in his position, because I watch him and the Premier, and the Premier and Minister of Health have this bond, this close relationship; they're clearly in sync.

**Mr. Runciman:** "Keep me out of it." That's what the Premier said to him when—

**Mr. Baird:** That's right. When they were talking about private hospitals, the Premier leans over, as he often confides in the Minister of Health—and this is his bill, Bill 164—the Premier leaned over to him and said, "Just keep me out of it."

**Hon. Mr. Bentley:** On a point of order, Mr Speaker: I heard my name called. Is it time to speak about the bill? Is it time to speak about ending smoking in public places or not?

**The Deputy Speaker:** The member for Nepean—Carleton will be reminded that Bill 164 is the topic.

**Mr. Baird:** I notice the Minister of Labour always watches health issues, because he's boning up on his health policies, waiting for the cabinet shuffle. He'd like his name to appear on the front of Bill 164. I think he's going to get a demotion. He could be demoted to health or demoted to finance. With his performance in cabinet, he could be demoted to health, finance, education or management board. That's the kind of demotion this minister is facing. I don't think he would pursue Bill 164 or the House business this way. I would say that on the high-pressure tactics they're using to pass Bill 164, if the Minister of Labour was the government House leader, he would be far more reasonable. He wouldn't keep his caucus colleagues here till midnight playing legislative tomfoolery with the order paper, with high-pressure tactics to try to intimidate the opposition on Bill 164, the tobacco bill, and the adoption bill, which I know some members have significant concerns about.

I say the Minister of Labour would make a good health minister, and he would present a better bill than the one we have been presented with.

**Mr. Runciman:** He's already bumping into the seat there.

**Mr. Baird:** Maybe he'll be Minister of Community and Social Services, because he has already taken her seat. She's on thin ice. I think she's in trouble today. I was speaking about her performance during question period.

Bill 164 is before the House, with the high-pressure tactics of our friend the Minister of Northern Development and Mines, who's the acting House leader tonight. He said no to the politics of unity and trying to work together. It was always the hallmark of the time when I was government House leader that I never once threatened to use time allocation. I don't believe in threats when working with the opposition. I think if you confided in them, they would tell you that that was not something that I ever once, as government House leader, threatened to do. I think it's important to put that fact on the record.

I think we should have a regime that is more co-operative and constructive in working with the other parties in this place. We have a minister for democratic renewal on Bill 164, the tobacco bill, who would say that we should have a more constructive environment in this place. I want to say that the government House leader, on occasion, has been good to work with and has been constructive, but I suspect he is being shackled by the whiz kids in the Premier's office.

One of the whiz kids who works in the government House leader's office, Bill Wrye, had to check with whiz kids in the Premier's office. Bill Wrye would be a good government House leader. Absolutely. I like Bill Wrye. He's a good fellow; he's a reasonable, common sense fellow. I would dissociate Mr. William Wrye from any remark I have made in this speech about whiz kids and staffers causing backbenchers problems, because he's someone who has actually had the guts and courage and fortitude to put his name on the ballot, and there's a lot of respect in that.

**Interjection:** He knows what it's like to sit in here.

**Mr. Baird:** He knows what it's like to sit in here, exactly, because he had to sit in here for hours while the Premier's office played games.

I hope that Bill 164—we will have a vote on it, and I support having a vote on it. I think everyone in my riding would like to see a vote on the bill. I would acknowledge that I have significant problems with this bill. I would be remiss if I didn't acknowledge there are some constituents in my riding and in Ottawa who do support this bill, who do like the bill. I have concerns about it. I have concerns about property rights. I have concerns with respect to small business people who have been honest and worked hard to put in a designated smoking room. They've even gone so far as to say, "We won't allow staff to work in them." But apparently that's not good enough for this uncompromising, "our way or the doorway" government we have in Ontario, and that's too bad.

**The Deputy Speaker:** Questions and comments?

**Mr. John O'Toole (Durham):** The member for Nepean—Carleton has said most of what I expected to say in the next 20 minutes, but the passion that he has brought to it, the realism that he has brought to it—"It's our way or the highway." That's the high-handedness of the current government. They're not listening to small businesses. Any transitional plan that anyone could imagine for the hotel, restaurant and entertainment business, which had been given signals to encourage them to make certain commitments, is now being abolished. That's the arrogance of the government when they're probably on the right track. No one would ultimately agree with the issue of smoking in public places. There's evidence that would support that it's the right thing to do, but to do it with the stroke of a pen, with little consultation and a lack of a transition plan from the minister, not just for the hospitality industry but for the agricultural industry, is completely insufficient.

But I can only talk, and I will be speaking later with respect to how this impacts my riding, but the passion and the comments made by the member from Nepean—Carleton really are very hard to surpass, and I would hope that those who are tuned in would be—

**Interjection.**

2150

**Mr. O'Toole:** I would say that Mr. Wilson's earlier comments would be hard to surpass as well, and I'll try to stay away from that. The member from Simcoe—Grey did have a lot of passion in his comments. But the issue I'm trying to make is one that you're either with them or against them, and it isn't quite that simple. Bill 164 and the rush to make it law on the day that categorically is marked as the non-smoking day is really an indication of their "haste makes waste." And that is indicated in many pieces of legislation that are before the House today.

**Mr. Gilles Bisson (Timmins—James Bay):** When my good friend the member from Nepean—Carleton talked about all the political staffers who weren't here tonight, he wanted to know where the political staffers were who didn't want to deal with banning the power walls,



because that is certainly an issue that should have been dealt with in this legislation. This government is saying they're not going to do it until 2008. We, the New Democrats, put forward an amendment to the legislation that said we should ban power walls, because that's something that has been asked for by public health units and others when it comes to the issue of being able to try to curtail tobacco use among young people. I know my good friend from Nepean—Carleton will want to comment on why it is that the political staffers were not here to assist with the issue of the power walls.

**The Deputy Speaker:** Further debate?

**Mr. Bob Delaney (Mississauga West):** It's a good thing that the member for Dufferin—Peel—Wellington—Grey is not here. Tomorrow is opposition day.

**Mr. Baird:** Mr. Speaker, on a point of order: As you so correctly pointed out to me, the member has made reference to the absence of a member, and I would ask you to rule if that is in order.

**The Deputy Speaker:** That is a point of order. The member from Mississauga West knows full well that you're not supposed to point to somebody's absence.

*Interjections.*

**The Deputy Speaker:** When the Speaker is standing—OK, let's get back to it.

**Mr. Delaney:** Tomorrow is opposition day, and there is a resolution to be debated that has to do with decorum in the House.

**The Deputy Speaker:** Member for Mississauga West, you can't refer to something that might be coming before the House. Stick to the issue at hand, please.

**Mr. Delaney:** Well, Speaker, what does decorum in general have to do with Bill 164? Nothing. What does eating up speaking time through an endless repetition of names of staff people in the phone directory have to do with Bill 164? Nothing. What does a temper tirade have to do with Bill 164? Nothing. It may be about a lack of decorum shown toward the institution of government in the province of Ontario. Yet if it should come to pass that we debate decorum, members may rise in their sanctimonious glory and talk about whether or not there should be a higher level of debate in this chamber. So let it be recorded then—

**The Deputy Speaker:** Thank you. Questions and comments?

**Mr. Runciman:** I want to commend the member for Nepean—Carleton for his usual very cogent and persuasive arguments placed before the Legislature. I think the message he delivered this evening was truly effective.

The government member who spoke just before me asked, "Why are we here this evening?" and I think that's a good question. People who are viewing the proceedings this evening may also ask themselves, "Why are only member of the Progressive Conservative Party effectively participating in this debate? What's the point of this?"

I indicated in an earlier intervention that I will be supporting the legislation, as will many of my colleagues in the Progressive Conservative Party at the end of day,

although we have significant concerns about property rights, the treatment of tobacco farmers and so on. But our primary thrust here this evening is our frustration with the government over the adoption legislation and their refusal to deal in an effective manner with victims—and we're talking about 3% to 5% of the population that will be impacted by the adoption legislation, in terms of its retroactivity provisions. We want those 3% to 5% who were victims of sexual assault, victims of incest, primarily women, to have the right to a veto. That's what we're talking about. The government is stonewalling us on this legislation. We in the opposition have very few options open to us to deal with this, to try to persuade the government members to face the facts, to face reality with respect to the adoption legislation. One of those options open to us is to delay passage of this kind of legislation. Even though a majority of us may support it, we have to use the tools available to us. That's what we're doing this evening, and we will continue to do so.

**The Deputy Speaker:** Does the member for Nepean—Carleton wish to reply?

**Mr. Baird:** I'd like to thank the members for their interventions.

To the member from Mississauga who spoke, what we're doing is standing in this place and saying we respect the fact that the Liberal Party won the election in 2003, but they have to respect the fact that a majority of the people of the province of Ontario did not vote for them; they voted for those of us on this side of House. Furthermore, there should be a meaningful dialogue, not a "my way or the highway" approach to negotiating between the different political parties. This kind of demand that the opposition House leader has put forward—"Could we have an hour or two hours of testimony before committee from the privacy commissioner?"—"No, no. That's too much to ask. I'm sorry. I know you got 55% of the vote from the people of Ontario on the opposition side, but we're not going to allow you to call the privacy commissioner before the committee for that amount of time. Two hours is too much to ask for."

Or when I asked the government House leader if we could send a bill on newborn screening to committee for a day of hearings, "No, no. We can't discuss that. That's too much to ask." Well, it wasn't. It was fine for that member to put the bill on newborn screening as a private member's bill when he was in opposition, but it's too much to ask for: one day of hearings on a bill for newborn screening for little infants, to try to find a way to save lives.

That is what this is about. It is a serious, genuine attempt from the official opposition to get the attention of the government, which is becoming far too increasingly arrogant far too early in its mandate.

**Hon. Mr. Bartolucci:** On a point of order, Mr. Speaker, I seek consent to move the following motion: That the House do now adjourn and that when Bill 164 is next called, it be ordered for a vote without further debate.

**The Deputy Speaker:** The member was seeking unanimous consent. Agreed? I heard a no.

The member for Barrie—Simcoe—Bradford, further debate.

**Mr. Tascona:** I'm very pleased to join in the debate on Bill 164. I think as the member from Leeds—Grenville put it, as to why we're dealing with this bill, there's general consensus in terms of the House; there's no doubt we're in favour of the bill. I voted in favour of Bill 164 at the last reading. It is, I think, a very important issue in terms of trying to deal with the health care issues of this province. I have indicated why I support the bill.

But the other aspect of why we're here, and I think the member from Leeds—Grenville put it there, is in terms of dealing with Bill 183, which is the adoption bill. The retroactive impact of the legislation known as the adoption bill—

**The Deputy Speaker:** Member for Barrie—Simcoe—Bradford, take your seat, please.

Before we get too far into this, we aren't debating Bill 183; it's Bill 164. So let's try to do that and get through the evening.

*Interjections.*

**The Deputy Speaker:** Well, you're a lawyer. I know you'll get to the point, like a judge would say.

**Mr. Tascona:** I thought you were going to ask the member from Peterborough not to interrupt while I was trying to speak, Mr. Speaker.

**The Deputy Speaker:** No, I was asking you to sit down while I was trying to give a ruling, and you're still not sitting down when the Chair stands. You know you're supposed to sit down when the Chair stands. Thank you. I'll address the member from Peterborough when it's necessary. Please, 164.

**Mr. Tascona:** I've got a different understanding of the rules. I guess we're going to have a really interesting debate here.

2200

**The Deputy Speaker:** Member for Barrie—Simcoe—Bradford, it won't be a debate. I assure you of that.

**Mr. Tascona:** That's for sure, because I can't seem to get up and hold the floor. So, Mr. Speaker, I'd just like to comment on the bill, which I think I'm entitled to do, since I'm on the floor and I'm just speaking on Bill 164. If you want to listen to me, I'd be more than pleased to speak.

Dealing with this bill, I just want to say very clearly that there are a number of aspects—and I mentioned it earlier. I've spoken many times, even before you were in the Speaker's chair tonight, about the aspects of this bill. It's such a contradiction in terms. The federal government has jurisdiction over smoking in terms of the Canada Health Act and dealing with a drug, which is tobacco. They've chosen to make this product legal. So we have federal jurisdiction which makes smoking tobacco legal. It goes back to the member from Halton—Brant in terms of dealing with property rights. There are two aspects to this bill. There's the property rights aspect, because the federal government has made the smoking of

tobacco legal. The provincial government has a role in terms of regulating smoking within the province. What they've chosen to do is to regulate it by banning smoking throughout the province. That's the fundamental contradiction in terms of what we're dealing with here. The federal government could make this a very easy issue for everyone: Ban smoking in the country. But they've chosen not to do that. Why they've chosen not to do that is because they believe, rightly or wrongly, that the selling and the retailing and the smoking of tobacco should be legal. So we now get into provincial jurisdiction, where they're saying, "We're going to regulate this, because we think smoking is wrong."

I'm quite surprised there hasn't been, in terms of an overlap of powers here, a constitutional challenge with respect to this legislation. I suspect there will be. I suspect there will be a charter challenge with respect to this legislation because, quite frankly, this is an overlap in terms of jurisdiction. The federal government says it's legal to smoke; the provincial government says, "No, we're not going to allow smoking." So you have the competing aspects of health care—and everybody in this House recognizes that health care is important. There is a tremendous cost to the health care system because of cancer, and to people who smoke—that's an undeniable fact—and to people who are faced with people who smoke, second-hand smoke, as we know it. So on that side, everybody recognizes what the provincial government is trying to accomplish here in terms of making sure that we have a safe environment where people can go out and eat, a safe environment where people can go out for entertainment, a safe environment for people when they go into the workplace.

The other side of the coin is that the federal government has said, "We are legalizing this product." So what we have is retailers and businesses that have been in business for many years and have been getting mixed signals over the years. The mixed signals are, "We're going to allow smoking," from the federal government; the provincial government says, "No, we're not going to allow smoking unless you have ventilated room systems. If you do that, that's fine. We'll allow that to happen," without giving an exemption to, say, the Legion, to say, "You can smoke at the Legion, because you are veterans and we're going to allow that to happen." So Legions acted on that by saying, "OK, we're going to get ventilated smoking rooms." They are expensive; they were very expensive. They followed the rules with respect to how to operate their businesses and implemented ventilated smoking rooms.

Now the rules have changed again, for policy reasons, I presume, or for reasons the current Liberal government feels they want to act on in terms of dealing with smoking. There is an argument to be made that probably, if the government didn't act provincially, it may have happened anyway. My understanding was that even before this legislation was in place, more than 63% or so of municipalities had already enacted smoke-free municipal bylaws, so they were moving in that direction



without the help of the provincial government. Why the provincial government has decided to change the local solution in terms of how people want to do things probably has a lot to do with the way this government thinks ideologically and the way they want to intervene in property rights and intervene in local solutions.

An example of that—I don't want to get too carried away, because the Speaker will be listening to me—is the Peel governance bill. They decided, "We're going to tell them how to operate at the local level," even though they had a way of operating at the local level. They're intervening because they feel it is right. And it has a lot to do with the way the Ministry of Labour operates in terms of their remedial approach to making sure the workplace is safer. Obviously, they're to be commended, because the fact of the matter is that we want a safe workplace environment.

I think the purpose of this bill is that they want a safe environment for people to not be exposed to second-hand smoke and to not be smoking per se. But the problem with this is that the federal government has their own rules. They have the primary power in this particular issue, and they believe that legalized smoking of tobacco is OK. They also believe that legalization of marijuana is OK. We also have measures properly being taken by the provincial government to deal with grow houses, which is another sort of competing situation, where one level of government believes a product is OK and another level of government believes it has to be regulated. But those are the responsibilities that have been given under the charter.

That's a big issue. It's an issue because now we have amazing pressures, significant pressures, on us with respect to cancer care in the province. As everyone knows, Cancer Care Ontario has set out a blueprint with respect to how they want to deal with cancer care in this province. I believe that Cancer Care Ontario plays a very fundamental role in the planning. They're an adviser to the Minister of Health, and the Minister of Health has a plan, a blueprint, that has been put forth by Cancer Care Ontario. You ask, why would I be interested in that? As the member from Barrie-Simcoe-Bradford, cancer care is a major issue in my riding because of the two areas that need cancer care facilities: Royal Victoria Hospital in Barrie and the Southlake Regional Health Centre in Newmarket are both slated to have cancer care facilities for those areas. The only question is where that falls within the capital blueprint that will be unveiled by the provincial Liberal government through David Caplan, hopefully in the next few months, in terms of where they will be in the capital planning for cancer care systems throughout the province. That's a very important document, because that is how we're going to know when these projects will go ahead.

2210

I understand that each and every year, in excess of 16,000 people die through smoking. Whether it's first-hand or second-hand, those are staggering statistics. I think a lot of the policy rationale behind Bill 164—it's a

bill of the Minister of Health and Long-Term Care, Mr. Smitherman. It's his bill, so obviously it's a bill directed toward health, and the policy reason behind this bill would be to reduce the number of people who die from smoking tobacco. That's the policy rationale behind Bill 164, though, as I've said, Bill 164 has been a work in project for more than two decades, in that we've seen municipalities pass bylaws to either outright ban smoking in their community or create a ban with exceptions. Perhaps the Minister of Health was looking at that and saying that maybe the patchwork process happening at the municipal level needed to be dealt with in a much more expedited manner in terms of bringing an outright ban with respect to smoking in this province.

But that's much different than the approach taken by the Attorney General with respect to pit bulls. The Speaker, being from Essex county, knows that the city of Windsor passed a bylaw with respect to banning pit bulls, and there was one other community that did that, the city of Kitchener, yet the Attorney General decided, in his own wisdom, that there should be a pit bull ban across the province, and he imposed his solution with respect to canine control across the province.

We have a much more measured municipal approach in terms of smoking bylaws over the years, in terms of dealing with it from an outright ban to bans with exceptions to deal with local needs. Certainly Bill 164 is not going to deal with local needs. Basically, it's an outright ban, with the obvious exception of native lands, which are under federal jurisdiction. One would hope that areas governed by the Indian Act will be subject to progressive bylaws to deal with smoking within those areas so we have a consistent approach across the province.

That is really where the danger is in dealing with tobacco by the approach that some believe in for stamping out smoking, which is to increase the taxes. As we know from the past, the approach to increasing taxes on tobacco doesn't always work. What we find is that people will find a source of tobacco at a much cheaper price, whether it's across the border or whether it's in an area that allows tobacco to be sold at a lower price. That approach, though the intent is to reduce or remove smoking by youth—that's why this bill becomes a little bit of a conundrum in terms of, what did the Liberal government try to accomplish here? Initially, they came out saying, "OK, we're dealing with an outright ban. We're going to ban these power panels and we're not going to allow them within retail convenience stores," yet now, when we're dealing with the bill, these power boards are going to be given an exemption for a couple of years.

Why is the government extending the exemption for those power boards in retail stores in terms of their being logical and consistent throughout this process? The government really hasn't explained that at any time. I don't think they can explain it. I think they made a decision, for whatever reason—someone convinced the Minister of Health and the people who are advising him that that is something they should do. Obviously, the

little respect they have for property rights is shown with respect to—it's not an exemption. What is it? It's a delay in terms of how they're going to deal with retail convenience stores.

I heard from a number of them, not only about how they need these power boards for income, but how they don't have the room for storage of the product, how they believe they'll be put at more risk in terms of safety because of what they're being required to do by this. I don't know if any of those is the reason that the government decided they would delay the implementation of banning power boards. One really doesn't know. But when you look at that in terms of what they say they're trying to accomplish by this bill—they're saying they want to make sure it works so they can reduce smoking among youth, yet they do that. To me, there really is no basis for what they're saying in terms of bringing about a delay in that. It just shows that someone lobbied them sufficiently and they listened. Whether that means they're going to continue to delay it, because there is regulatory power to make that happen, one has to see.

I would be very surprised if the provincial government didn't face a charter challenge on this, because they really are stepping into an area of federal government jurisdiction. The federal government says it's legal to smoke tobacco. The province is supposed to regulate the distribution of the product, and what they're saying is, "We're going to allow it to be sold in retail stores, but you're going to sell it the way we want to sell it. You're not going to be able to sell it with any advertising or anything, and we're not going to allow you to smoke it anyway."

I was surprised by what they didn't do, which they said they would do. They were going to have the nine-foot rule around entrances. Whether it was commercial or whether it was public, they were going to have the nine-foot rule. They backed away on that too. I don't know why. Some people would support that and other people may not, but that's another area they backed down on. It may have made sense in terms of keeping an area clean, but they decided no, they're not going to have the nine-foot rule.

These are things the government said they were going to do—but didn't—to follow up on their legislative commitment to have an outright ban on smoking in the workplace. They seem to be falling down in certain areas that would have made sense in dealing with smoking. If you go to any public area where they're smoking outside and see the litter, the dirt and the lack of controls around that particular nine-foot area, I would have thought the government would deal with that to make sure their legislation is effective.

I have stuck to the subject matter. I have put forth my view. I support in general the main concepts of Bill 164, but at the same time, there's no doubt that there's a problem between the federal and provincial governments.

**The Deputy Speaker:** Questions and comments?

**Mr. Barrett:** The member for Barrie-Simcoe-Bradford raised the issue of federal-provincial relations with res-

pect to this particular piece of legislation and he raised the spectre of a charter challenge. We may well expect a legal challenge.

We saw similar legislation introduced in British Columbia three or four years ago, legislation that removed the right of the hospitality industry in British Columbia to have designated smoking rooms. Within a matter of months, the hospitality industry launched a lawsuit and was successful in having measures brought in that were actually implemented through the Workers' Compensation Board in British Columbia. The hospitality industry was given back the right to have designated smoking rooms. There was a perception that even though designated smoking rooms do eliminate the smoke, there was a concern on behalf of employees. Under the provincial legislation in British Columbia, employees only work 20% of their shift within a ventilated, separate smoking area.

As for the federal and provincial governments, there's one thing they do have in common. I would suggest there is a vested interest in keeping tobacco legal, one reason being that both levels of government accrue well in excess of \$8 billion a year in tax revenue. The federal treasury and provincial treasuries in Canada benefit to the tune of \$8 billion a year, dollars that aren't going in adequate compensation to farmers or other businesses that are hurt by this—and there is not any chance at all of this being declared illegal.

2220

**Mr. Dunlop:** I'd like to make a few comments on the fine comments of my colleague and neighbouring MPP from Barrie-Simcoe-Bradford on Bill 164. Mr. Tascona has been a very strong advocate of basically non-smoking. But the reality is that it hits close to home. As the member from Simcoe-Grey mentioned earlier, Mr. Tascona, the member from Barrie-Simcoe-Bradford, is a very strong advocate in this House and in this province for the Cancer Care Ontario unit at the Royal Victoria Hospital in Barrie. I have talked to the member on numerous occasions, and I know he referred to it a few times in his comments, about all the different fundraising activities and events that take place in the city of Barrie and in the county of Simcoe to make sure that the Royal Victoria Hospital in Barrie receives a Cancer Care Ontario unit.

We have felt so many times that we were that close to getting final approval and the opportunity to go to construction on that particular facility. I don't think any of the Simcoe county colleagues or maybe even the neighbouring municipalities will give up on this, because we are growing municipality. Cancer is a big issue, a lot of it caused by smoking. But the bottom line is that we have a mandate or we have a goal or an objective, whatever you want to call it, to work with the government or to lobby the government to make sure that whatever happens in the county of Simcoe, the Royal Victoria Hospital in Barrie ends up getting a Cancer Care Ontario unit for the folks in central Ontario.



I appreciate this opportunity to say a few words tonight.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** It's great to rise today to speak on the comments of the member from Barrie–Simcoe–Bradford on Bill 164. There has been a lot of discussion in my riding of Haliburton–Victoria–Brock—soon to be Haliburton–Kawartha Lakes–Brock, probably—and a lot of concern from the businesses that have been mentioned, from the Legions. It needs to be a thoughtful process. People don't just stop smoking overnight. We need to decrease the number of people smoking, and that is certainly a trend that is happening. But we have to do this in a way that is balanced for businesses; we have to show respect for the Legions.

Working in the hospitals—I remember nursing way back, over 20 years ago, when you could still smoke on the nursing wards at night, coming in at night. I never smoked, but some did. It is incredible to see where we've come in the 20-some years, because you'd walk off the elevator on to the floor and there were puffs of smoke coming out, and that was from the nurses. I'm sure the patients had smoking too, if I can remember back; they were allowed to smoke in their rooms. Then they got so they would be creative with their wheelchairs and their stretchers and say, "Please take me out for a smoke," or they would only be able to lie on their stomachs and they'd be getting this stretcher that had wheels on it so they could wheel themselves down the elevator, down the corridor, in the cold of winter, and be sitting out there smoking. I think I learned to appreciate that it is an addiction and it's going to take a while to change the culture. But they were destined to go out to smoke and would be very, very thankful to anyone who would help them get outside to have a smoke when they could no longer smoke in the patient rooms.

Certainly, I'm glad to see the culture slowly changing over, and that fewer people are smoking today.

**Mr. Levac:** There's just a couple of observations I'd like to make about the bill we're talking about and the idea of society changing its views on smoking.

I walked into one of the service groups, and one of first guys just yelled out at me, "Hey you, Levac." I looked over and there was a gentleman sitting at the table with his oxygen tank on, with the tubes and everything else. He pulled out a cigarette and started smoking it. I thought, my gosh, what's it coming to? Anyway, his wife came to me and said, "Thank you for passing the legislation, because not all of us who are veterans smoke, and we like to be able to come into our hall." So there is another, counter discussion that has to occur when we're talking about people who are definitely saying that all veterans want to smoke. Not all veterans want to smoke and not all clubs are interested in having that smoking discussion.

Another thing I wanted to bring up, and I've given this to the Minister of Health—we're talking about those power walls. I want to talk about another type of power wall that we find in our dollar stores and candy shops.

They're still selling those imitation cigarettes. They just changed the name to "candy stick." They still make them the same way; they still have the imitation packaging, and they have the red thing at the top of the candy. One of my constituents brought this to my attention, and I forwarded it immediately to the Minister of Health and the public health officials. The real issue here is that if you're really thinking about the power walls, what about those candies that have an imitation cigarette package? They look just like a package of cigarettes, with the way they fold them, the way they package them. They just call it candy. That's an influence on the little kids. I don't like that idea and I think we should get rid of that stuff too.

**The Deputy Speaker:** The member for Barrie–Simcoe–Bradford, you have two minutes to reply.

**Mr. Tascona:** I certainly appreciate the comments made by the members from Haldimand–Norfolk–Brant, Simcoe North, Haliburton–Victoria–Brock and of course the member from Brant.

From what I've heard, there's a consensus on the dangers of smoking and health care. But the member from Haldimand–Norfolk–Brant listened very attentively to and echoed the comments I made with respect to the charter challenges and the challenges you're going to have on this. You're going to have challenges whether you like it or not, because of the problem of the overlapping powers between the federal government and the provincial government. The federal government has determined that in the land you can have the sale and use of tobacco, and the provincial government, for whatever their noble reasons in terms of policy and health, is saying, "We're going to regulate it, but we're going to regulate it into extinction." It's a problem.

The federal government caused the same problem with respect to gambling. They legalized gambling back in 1968 and said to the provinces, "You regulate it." Everybody knows where gambling went in terms of the regulation. It's a huge money-maker for the provincial governments, and a lot of that money goes toward health care. Probably the provincial governments couldn't do without that money.

This particular issue is a serious issue. We have Cancer Care Ontario with a blueprint to deal with this issue, and I know that the Minister of Health is very supportive of that and will be acting on it.

**Hon. Mr. Bartolucci:** On a point of order, Mr. Speaker: I seek unanimous consent to move the following motion: That the House do now adjourn, and when Bill 164 is next called, that it be ordered for a vote without further debate.

**Interjection:** No, absolutely not.

**The Deputy Speaker:** I haven't yet asked the question. The minister has asked for unanimous consent. Agreed? I heard a no.

Further debate.

**Mr. O'Toole:** Thanks very much. I've been waiting for some time, actually, to make comments on Bill 164. I know the Liberals—I've heard twice now tonight the

member from Sudbury, the Minister of Northern Development and Mines, try to terminate the debate. It is quite indicative of what I heard as a member who sits on the standing committee on finance and economic affairs. On this particular bill, the member from Haldimand-Norfolk-Brant and myself and others recognized that there were hundreds of members of the public who applied to speak to this bill and were denied. They tried to terminate the hearings. They tried to truncate the process. I would say to you that it's indicative of many of the bills that are before us, a few of which I could speak to. Bill 164 is just one of the bills that they're trying to rush through and limit debate on.

22230

They are the government. I understand that. The Minister of Health is here tonight. This is his bill. I understand that. In fact, I want to start by putting on the record that no one on this side of the House, including our leader, John Tory, would fail to recognize the importance of encouraging, in fact incenting, not smoking. Young people, middle-aged people, the elderly: Smoking is not good for you. I don't think that anyone disputes that fact. Some time ago, I stood outside with the now Minister of Health on many occasions, prior to his being the Minister of Health, and shared a cigarette. But he has reformed; he has accepted this—

**Hon. George Smitherman (Minister of Health and Long-Term Care):** On a point of order, Mr. Speaker: I'd give the member an opportunity to withdraw the comment he just made. I've certainly never shared a cigarette with him or anyone else in my adult life.

**The Deputy Speaker:** Only the member can correct his own record, so I would ask him to consider that.

**Mr. O'Toole:** I would correct the record. I stood on the same step on the stairs. I didn't share a cigarette. He was smoking and I was smoking. Now he doesn't smoke, and I understand that.

**Hon. Mr. Smitherman:** On a point of order: It's a fabrication. It's completely untrue. There's no substantiation for it—

**The Deputy Speaker:** Minister, please take your seat. The Chair can't determine what's right or what's wrong. I just ask the members to speak to the bill.

Further debate.

**Mr. O'Toole:** On Bill 164, the Minister of Health, Mr. Smitherman—Mr. Speaker, it's an important point of ethical principles here. I don't want to boil this down, because we've been having some lighthearted debate, but the Minister of Health did smoke, and I think Dalton told him to quit.

**Hon. Mr. Smitherman:** Point of order.

**The Deputy Speaker:** Member for Durham, take your seat. There's a point of order.

**Hon. Mr. Smitherman:** I'll be guided by you, Mr. Speaker. I guess I am about to be thrown out of here, but the honourable member from Durham is a liar.

**The Deputy Speaker:** I'd ask the minister to withdraw that.

**Hon. Mr. Smitherman:** I will not withdraw. I will leave this place—

**The Deputy Speaker:** Take your seat, please. I am forced to name the member.

*Hon. Mr. Smitherman was escorted from the chamber.*

**Mr. Dunlop:** This looks really good for the Minister of Health. It makes a good impression.

**The Deputy Speaker:** Order. To the member for Simcoe North, it would do us all in good stead to keep the debate on a professional level.

Member for Durham, you have the floor.

**Mr. O'Toole:** With all due respect, I did not mean to engage the Minister of Health. I can assure you that I did share time with the minister prior to his being a minister. It's really not that important.

*Interjections.*

**Mr. O'Toole:** See, they're outraged—

**The Deputy Speaker:** Point of order. Member for Durham, take your seat.

**Hon. Mr. Bentley:** On a point of order: He's continuing to impute another person's reputation and honour when they're not here. This issue should be raised tomorrow during the debate about the tenor of debate in this House under the resolution that will be drawn by the Leader of the Opposition. It's absolutely outrageous—

**The Deputy Speaker:** Minister, I have your point of order. You should not impugn the motives or actions of another member, particularly when they are not in the House, but at any time. So I am asking, please, for your co-operation. If I don't get it, I can stand here until 12 o'clock. Please, member for Durham, further debate.

**Mr. O'Toole:** Mr. Speaker, I am in a dilemma, because now the Minister of Labour is yelling at me to change the tone of my debate. I'm trying to make some points here.

**Hon. Mr. Bentley:** Point of order.

**Mr. O'Toole:** Now the Minister of Labour is up again trying to usurp—

**The Deputy Speaker:** Member for Durham, please take your seat. Minister, your point of order?

**Hon. Mr. Bentley:** My understanding, Speaker, is that the member has the floor for the purpose of debating Bill 164, but what he wishes to do instead is to engage in personal remarks and attacks about members of this House. With the greatest of respect, confine—

**The Deputy Speaker:** Thank you. Your point of order is well taken. I have asked time and time again that we stick to the debate on Bill 164 and keep it on a professional level, please.

**Mr. O'Toole:** I feel somewhat impugned and insulted, actually. I'm trying to speak to the bill, and the motive is important for the people of Ontario to understand that Bill 164—no disrespect to the Minister of Labour. He has worked hard to bring in Bill 144, which has failed the Liberals, has failed the NDP and has failed the working people of Ontario. But we won't go there.

I am going to speak directly to Bill 164. It is a small bill but it is a nanny state bill. Listen up. It is a smoking bill. It is actually eight pages, for the people viewing. It's eight pages long. It is An Act to rename and amend the



Tobacco Control Act—it's kind of retroactive, in a way—repeat the Smoking in the Workplace Act and make complementary amendments to other Acts. That's where the treachery lies: in the complementary amendments. If I were to compare this bill, it is in a sequence of bills that have to do with banning sushi, banning pit bulls, banning junk food, and now they're banning smoking.

*Applause.*

**Mr. O'Toole:** I think that's actually an applaudable fact. What is missing here, as we've seen demonstrated by the Minister of Health's orchestration and outrage, the Minister of Labour—the anxiety and angst is that they wish to pass this today on the no-smoking day. That's what this is about.

But what fails to happen here—and this is important. This is a democracy, and the member from Haldimand-Norfolk-Brant has made the point several times. There were almost 300 applicants to speak to this bill. We know it's divisive. We know it and we understand that. Less than a third of them had the right to make deputations in the public forum.

I think of my riding of Durham. They're hard-working people. Probably the majority don't smoke, and I commend them, but they don't have to be forced by government. What's missing here is the transitional plan. I would support Bill 164 on the following principles.

2240

Mr. Speaker, forgive me. For a moment, I digress. My very good friend Marcel Beaubien, a former member from southwest Ontario—let's see now. I would say his riding was—anyway, he was recognized tonight by l'Assemblée parlementaire de la Francophonie. He received an award tonight. I went to the reception, and the reception was held at the Bodega Restaurant, at 30 Baldwin Street. I took a little walk between the entrée—I spoke to the members of the staff there. There was an outside balcony, a lovely French ambience, excellent, first class. I asked some of the staff, “How is Bill 164 going to affect you?” One of the staff members told me, “It could cost me my job.”

**Hon. Mrs. Meilleur:** That's wrong.

**Mr. O'Toole:** The Minister of Culture, Madame Meilleur, is saying that it's wrong. That may be a very valid opinion, but these are ordinary people such as in my riding at the various restaurants. One of them would be Hanc's Too. Another would be Einstein's. I asked them, “What would be a reasonable solution?” They said that if there were an amendment—and I am quite serious here. In my time sitting on the committee on Bill 164, I moved an amendment with the member from Haldimand-Norfolk-Brant. What I said was, what would be an appropriate amendment? A reasonable compromise—there is no perfection in life; this is the human condition—was that no one working for that establishment should be required to serve in a smoking area. Persons in a smoking area that is completely ventilated, that is outside or negatively ventilated should be required to serve, so it would be a self-serve area.

Over time, the business people would say, “Look, I am paying taxes on this outside area. There is nobody here.” Smoking isn't popular, I would agree with you, but that isn't the debate here. This is about human rights. This is about choice. Some people, for whatever reason, choose to smoke; others don't. And they shouldn't smoke; I would agree with you there. But it is this arbitrary arrogance that I find even in the remarks by the minister, this ardent attitude of complete pugnaciousness, almost like—“intolerance” is the word that comes to mind immediately. They have no tolerance for ordinary, hard-working Ontarians, the people whom I represent, some of whom choose to smoke for a variety of reasons.

How ambiguous is all this? I need more time. I may seek unanimous consent. Here is the dilemma. I am listening to the Liberals, here provincially, and federally. What they're doing federally is this—I am appealing to the people of Ontario to listen; we are elected to serve you, and I am committed to serving you regardless of some of the partisan nature of this business—they are legalizing marijuana. “Decriminalizing” is actually the technical jargon. But for the ordinary person it means that young people now are saying, “Gosh, it's not criminal to smoke.” This is bad. What is the signal we're sending to our young children? Do you know why? Because eventually the federal Liberals will tax marijuana. They will find a way to find more revenue to feed their hunger for tax dollars.

Provincially, they are ignoring the veterans in our Legions. They just ignore them. I am almost brought to tears when I think of it. I met with Legion members in Port Perry and 178 in Bowmanville and Oshawa, and many of the veterans, because they fought for freedom and democracy, said to me, first of all, that they don't agree with smoking, and some of them still smoke because they are addicted. That is the downside of this where I agree with you, really. But they said that some members in their dying days, or their last few days of active life—if I become tearful here, forgive me, because these members fought for and defended our country; in fact, the government supplied them with cigarettes. Now it's like the hand that defended the freedom we enjoy today is being ignored.

I was recently at a long-term nursing home and there were veterans in the latter stage of their life. Here they are, relegated—pretty soon, they'll be relegated outside to the street to smoke.

What I'm suggesting here, as a reasonable conclusion to my remarks—and I appreciate that members now are listening. A reasonable solution would be this: I am looking for a transitional plan before I can support the bill. I've abdicated immediately by saying I support the intent and the objective of the Minister of Health, Mr. Smitherman. If I offended him, I apologize, because he is a reformed smoker. And the Minister of Labour—I don't believe he is a smoker.

**Hon. Mr. Bentley:** It never stops. On a point of order, Mr. Speaker: This is the third time the member has attacked another member of the House.

**Mr. O'Toole:** I'm not attacking.

**Hon. Mr. Bentley:** Yes, you did.

**Mr. O'Toole:** Twice now the member has—

**Mr. Delaney:** This should be the subject of the debate tomorrow evening, because it's inappropriate for that member to be doing that, in my respectful submission, sir. He should confine his comments to the bill if he's really concerned at all about it.

**The Deputy Speaker:** Thank you, Minister. I will ask the member for Durham to do just that and continue with the debate.

**Mr. O'Toole:** If I have offended anyone, I certainly withdraw from that tone.

I'm just trying to make the point that we're human, and in that context of being human, some people fail to be perfect like the Liberals—because they're all perfect, every single one of them, in their nanny-state attitude toward everything: "We have the right and only answer." I'm humbled by that superiority complex you have, which is wrong and false, because it's the arrogance that I find pervades all of the legislation that's before us. Bill 164 is just a small sample; Bill 133, the arrogance on the environmental bill; Bill 186, the Peel bill; Bill 183, the adoption bill—it takes the ball. They're remembering—

*Interjection.*

**Mr. O'Toole:** Mr. Bartolucci, if you had a brain you would say something.

**The Deputy Speaker:** Member for Durham, please take your seat. Member for Durham, please take your seat or you're done, OK? You may wish to reconsider some of your comments.

**Mr. O'Toole:** In what respect?

**The Deputy Speaker:** Well, if I have to remind you, you've got a problem. You made some remarks that I wish you would withdraw.

**Mr. O'Toole:** Mr. Speaker, if I offended anyone—

**The Deputy Speaker:** I would just like you to say, "I withdraw," or make a decision otherwise.

**Mr. O'Toole:** On a point of order, Mr. Speaker—

**The Deputy Speaker:** No, I have the floor. It's your decision, member. I'm warning the member, OK? I'm naming the member. Sergeant?

**Mr. O'Toole:** No, no, I withdraw.

*Interjections.*

**The Deputy Speaker:** I'll take some advice, but—

**Mr. Bisson:** On a point of order, Mr. Speaker: He didn't get a chance to say it; you were still standing.

**The Deputy Speaker:** Thank you. I'll take my advice from the Clerk's table. I appreciate it.

Now, to the member for Durham.

**Mr. O'Toole:** I withdraw, Mr. Speaker.

In this bill, what I found is that no one wants to hear the full argument. I'm not abdicating anything I've said. What I've tried to say here is that, for the small business people I represent in my riding of Durham, the failure of a transition plan is the most troubling. If they really wanted to help people on the smoking cessation, I would support this bill, but there's nothing in here to help people to make the change they're forcing on the people

of Ontario. I'm disappointed that some of the comments made—

**The Deputy Speaker:** Thank you. Questions and comments?

2250

**Mr. Delaney:** The member for Durham draws out at great length his apocalyptic version of gloom and doom in the hospitality industry. The member says that no staffer ought to be required to serve a smoker. Well, let's see. There's no chance that a boss or a restaurant owner will pressure a staff member in order to make a buck; none whatsoever. One might rhetorically ask whether the member really believes that he knows everything and that the government members know nothing on this topic.

The member's effort to appeal to people's sensitivity to, of all audiences, the Legion is regrettable. I agree with my seatmate the member for Niagara Falls. His Legion came to him and said, "Don't you dare back off this bill. The last thing we want in our Legion is people who are here to smoke, and not people who are here because they care about veterans' issues." I'm with them.

The member believes the government of Ontario ought to reward merchants who cater to the 20% of Ontarians who still smoke. I say we ought to reward merchants who cater to the 80% of Ontarians who don't smoke, the ones who made their investments in their facilities, the ones who reworked their marketing plans to appeal to the majority, the ones who reached out to families, rather than smokers. Those are the merchants who took the chance and who ought to be rewarded by this bill that brings a smoke-free Ontario throughout the entire province. Those are the ones who can say, "This is a level playing field. You get the best service here. We've appealed to the audience that we're after. We should have a chance to make a profit."

**Mr. Runciman:** I want to compliment the member for Durham for his contribution. It was outstanding; it was inspirational. I think he hit the nail on the head. It clearly upset members of the governing Liberal Party. When we saw the reactions in the House here this evening, they were truly unbelievable: the irrationality of the Minister of Labour—astounding; the Minister of Health being ejected from the Legislature. It is unbelievable to see the reaction of members of the governing party to the, I think, very common-sense, reasonable efforts on behalf of the member from Durham here this evening.

*Interjections.*

**The Deputy Speaker:** Order.

**Mr. Runciman:** Truly, truly, it should be of concern to their colleagues who want to see a significant degree of decorum brought to the business of this place. When you see what's happening with Liberal members—not only Liberal members, but members of the executive council, losing their cool, completely losing it here. The Minister of Labour, whom I have a great deal of respect for—I find completely incomprehensible what I have seen from him this evening.

**Mr. Baird:** He should apologize.



**Mr. Runciman:** Really, he should get up and apologize to the member for Durham, and in fact compliment him on the excellent contribution he has made to the deliberations here this evening. I challenge the Minister of Labour to stand up in this place now, get on his feet, and apologize to the member for Durham and compliment him on the excellent, excellent speech he just gave.

**Mr. Baird:** On a point of order, Mr. Speaker: I would like to ask that the Minister of Labour be accorded two minutes to respond and apologize to the member for Durham.

**The Deputy Speaker:** The member has asked for unanimous consent. I heard a "no."

Questions and comments?

**Hon. Mr. Bentley:** This is an opportunity to respond to the member who was debating, allegedly, Bill 164, but making a lot of personal comments. I'm looking forward to reading the transcript of the comments, and using them and having them used in the debate tomorrow evening, which will not be about Bill 164, but will be about demeanour in the House. It will be about comments, about members' reputations. The question tomorrow about demeanour in the House, which is not about Bill 164, is not simply about what you say; it's not simply about yelling across the floor; it's about impugning other individuals' reputations by unfounded allegations, by smear, by innuendo, and we're looking forward to that being part of the discussion tomorrow evening, because it is clear that those who would bring a motion to the House calling for greater demeanour, but have a party that doesn't know the meaning of the word, clearly will be debating alone on the motion. It should be an interesting discussion, when we can take the transcripts of what has happened this evening and use them in the debate tomorrow evening. I look forward to that. It's time we actually vote on and pass the bill.

**Mr. Barrett:** The member from Durham, I felt, gave quite an emotional presentation on—

*Interjections.*

**Mr. Barrett:** Speaker, I'll start again.

**The Deputy Speaker:** Member for Haldimand-Norfolk-Brant, I'd like to help you out, but all sides of the House are guilty tonight, so just wade your way through it and we'll see how we do.

**Mr. Barrett:** I appreciate the fact that you would like to help me out. I think it is your job.

*Interjections.*

**The Deputy Speaker:** Order. Member for Peterborough, did you hear me say "Order"? Thank you. Member for Brant.

**Mr. Barrett:** Thank you, Speaker.

The member from Durham made reference to Legions. I know that during the testimony before the finance committee in Oshawa, we had a very good presentation from the Ontario Legion. Legions, veterans' halls and the army-navy-air force have independently been making decisions on behalf of their members for many, many years. They have operated independently. Why would we not now allow them to continue to make decisions on

behalf of their members? I am suggesting, and I think the member from Durham was suggesting, that our veterans are not given the respect they deserve through this particular piece of legislation with respect to any decisions they would want to make on behalf of their members, members who have joined and have served the community through Legion halls for the past 60 years, in many cases. Sadly, the answer is no. There is no respect from this government through this legislation for veterans—veterans who fought for freedom, fought for choice. It begins to sound like a cliché to some of the members opposite. They fought for democracy and they fought for respect.

**The Deputy Speaker:** The member for Durham, you have two minutes to reply.

**Mr. O'Toole:** I'm humbled by the respect I've been shown by the members from Mississauga West, Leeds-Grenville, Nepean-Carleton and Haldimand-Norfolk-Brant in the Minister of Labour's castigation of my remarks. But really, I'm humbled at this: I can recall now, as I remember the presentation by Carl Cowden from the Royal Canadian Legion, Branch 153, on April 29, that Carl said to us, "We, as veterans, govern ourselves." It's that freedom they fought for that they cherish. He freely admits that in their Legion branches, the vast majority don't smoke. That's what we tried to say tonight. But what's missing here is the arbitrary nature of revoking their liberties and instilling on them the Liberal way.

The Minister of Labour has done very much the same on Bill 144. He has the only solution. I am waiting for the debate tomorrow, for the anti-democratic process that is occurring in most of the legislation. I'm surprised at the legislation that's before us, at the Peel bill, and the Minister of Labour, the Minister of Health and the Minister of Northern Development and Mines—his comments personally affected me most. I was humbled by him primarily—as a former high school teacher, his demeanour was insulting to me. Mr. Bartolucci's comment was insulting to this House. Actually, he was out of order, and I am actually appalled by his behaviour as a member of cabinet, a former high school principal—or an elementary principal. With that in mind, I put my debate to rest. They're laughing. They're ignoring the people of Ontario.

2300

**The Deputy Speaker:** Further debate? I hate to interrupt, but we do have a point of order over here.

**Hon. Mr. Bartolucci:** On a point of order, Mr. Speaker: I seek unanimous consent to move the following motion:

That the House do now adjourn, and when Bill 164 is next called, that it be ordered for a vote without further debate.

**The Deputy Speaker:** Unanimous consent has been requested for a motion. Do I have unanimous consent? I heard a no.

**Mr. Baird:** On a point of order, Mr. Speaker: I'd like to ask for unanimous consent that would allow any minister in the government to call any bill that they like,

and we'll pass everything they want. Since they want to do everything without any debate, we'll just do whatever you want, and we'll forget about it.

**Mr. Runciman:** On a point of order—

**The Deputy Speaker:** Just a minute. We haven't dealt with that.

There was a request for unanimous consent. Do I have unanimous consent? I heard a no. Further debate?

**Mr. Cameron Jackson (Burlington):** To the Minister of Northern Development, I really would like to comment on this bill tonight. I understand that this is a bit of an inconvenience for you to have to sit here, but we didn't ask to sit here till midnight. In fact, it was the government House leader who insisted that we needed additional time for this bill, needed to sit until midnight tonight. I thank them for that opportunity, and I intend, as my democratic right, to put on the record some of my concerns.

I believe the minister opposite is on record now at least on seven or eight occasions to again try to limit debate and to reduce our access to our democratic rights to speak our concerns about this, and any other bill, for that matter. I would just hope that whatever burning commitments he has at 11 o'clock at night, he will be patient over the course of the next hour and pay attention to this important Bill 164.

I've seen about seven different pieces of legislation come before me on both sides of the legislative chamber over the course of the years dealing with tobacco regulation. But as the Minister of Health would rightly have us believe, this is also a public health issue, and I embrace it in that spirit as well. In fact, this is about creating healthier outcomes for Ontarians. I support the proactive principle of looking at healthier outcomes, because politicians of all stripes in all provinces have been talking about healthier outcomes, but there are very few that are actually providing the necessary funding in order to get ahead of these issues and be proactive. This is an example where there's an opportunity here to reduce the incidence of exposure to second-hand smoke, something which has only really come to light in the last 30 or 40 years in terms of how serious it is for the incidence of cancer affecting so many of our citizens. But the truth of the matter is, just this simple piece of legislation in and of itself will fall short of any public policy objectives that the government may have in terms of reducing the true incidence of cancer if in fact we're not providing additional supports. That's what I want to speak to this evening.

My colleague from Simcoe spoke passionately about promises made as they relate to cancer treatment and cancer care. I dare say that there are many people in the House who could share stories of concern about promises being made to assist cancer patients in this province that are not being honoured. This piece of legislation, to stand alone, in and of itself, in my view, would be only half of an equation that involves a commitment of substantive dollars.

There are so many aspects to this legislation that I want to speak to during the course of the limited time that the government has allowed us for discussion on this legislation. I want to first address one of the concerns that the government seems to be stylizing, that the entertainment sector in this province, those people in the hospitality industry, are somehow being irresponsible citizens by saying to this Liberal government, "We were given a certain set of expectations to modify our establishments, we followed the rules of government, our banks supported us as we went into fairly substantive debt in order to modify our places of business. Now, we find that the government has in midstream changed the terms and conditions." Now, the government has the right to do that. It does that quite frequently. It has done it with rent control. I dare say this government's first budget retroactively eliminated tax credits and tax benefits for millions of seniors in this province and for multi-millions of taxpayers. So it has the right to do that. But I think it's inappropriate, in tonight's debate at least, to hear from the government members that somehow these business operators were acting irresponsibly. I think it was legitimate on their part to say, "Look, if that's what we're required to do under the law, we're prepared to do it." But you can't literally bankrupt some of these businesses who followed the rules of the day and were led to believe that if they made those business decisions, four, five or six years down the road they'd be able to recapture their costs. This is on top of other expenditures that have impacted on these individuals: Their taxes have gone up; their hydro bills have gone up; the minimum wage has gone up. So that sector of the hospitality sector has been very badly hurt, and this is yet another example.

I want to preface my longer comments tonight by saying that I for one am a non-smoker. I've never been a smoker. There are very good reasons why I'm not a smoker. Members have heard me tell the story in this House: I'm one of 10 children, and my mother buried her first two children with respiratory disease. They literally choked to death in my parents' arms, growing up in the far north end of the city of Hamilton, in the worst industrial area. But both my parents were smokers. My older sister, myself and my next brother, Kevin, never smoked. To this day we've never smoked. But each of my brothers and sisters that followed—once one did, all the rest are smokers. To this day they seem to have the health complications in their lives, and I, fortunately—touch wood—have so far enjoyed a very fortunate health experience, as have my sister and my next-oldest brother. So for me, this is an issue that I'm prepared to defend and debate with people who choose to smoke cigarettes.

### 2310

Now, within that view that I have, in my view, there are some exemptions worthy of consideration. I note that the government has entrenched in this legislation some of those exemptions, but there are some contradictions in this legislation as well.

One of the issues that this legislation addresses is the exemption for our tourism sector. As a former tourism



minister, I can understand why we would, for example, continue to allow for smoking rooms in hotels for people who visit from out of province so that we don't adversely affect the tourism industry, which is, quite frankly, still suffering from the after-effects of SARS and, more recently, from an over \$20-million cut to the tourism budget in the recent provincial budget. So on the one hand we're telling Ontarians that you cannot, in the hospitality sector, be accommodated for like-minded smokers, and yet for visiting people who stay in hotel rooms that are designated, you will be allowed to continue.

There's a section in here, section 9.1, that allows for the protection of home care workers. Now, this is a very tricky one. I can understand the reasons why the government has included it. It's an occupational health and safety issue. I would suspect that if a home care worker comes into someone's home or a doctor comes into your home on a home visit—and I can tell you that there are doctors, GPs in this province, who still make home visits; a lot of people say they don't, but I know of several in my riding who do. An individual is required under the law to stop smoking while they are in that situation, when there is someone in their home.

There's a whole series of penalties in here and a formula which I'm finding very, very difficult to read. I make no apologies for my inability to understand some of these tables, but we're looking at fines in the \$100,000 range, \$50,000 range. I'm looking at a schedule here: \$20,000 for a second offence, \$50,000. A maximum fine for a corporation—I should stay with individuals. I'm looking at \$100,000 fines for individuals.

So I really think it's important that certain elements of this legislation are debated openly and publicly so that people understand just exactly what's contained in this legislation. Although on the one hand we can see the need to protect health care workers in this province, it's entirely another thing for the state, and particularly an intrusive Liberal government, to be setting about regulations which ultimately end up in substantive fines or in the withdrawing of services, medically necessary services, to individuals simply because they refuse to stop smoking in the privacy of their own home.

There is the issue of schools. I can tell you, as a former school trustee—

**The Deputy Speaker:** The chatter level is on the rise. If we could just listen to the member for Burlington, who has the floor. Thank you.

**Mr. Jackson:** Well, Mr. Speaker, I'm not offended. I have your undivided attention, and for that I'm deeply grateful.

As a former school trustee, I can tell you that one of the largest number of complaints I received around schools was the presence of smokers' corners on school board property. Well, of course, many, many years ago we banned that in this province. So school boards were in a position to go out and enforce that, but kids, as is their custom when faced with authority, decided to go across the street to a neighbour's property and stand on their front lawn. Of course, the police would have nothing to

do with that. As a result, the conduct and the custom continued; it just moved its activity.

Nowhere in this legislation do I see a real effort to try to address that issue, in spite of some concerns that have been expressed. It's not fair to the private individual whose front lawn is being used as an ashtray in a public setting, and yet we seem unable in this legislation to deal with that simple challenge. To those families affected by it, it's not such a simple issue; it's one that is, quite frankly, in their opinion, driving down their property values. One can only imagine what its impact is.

I said earlier that I have some concerns that the Minister of Health—and let me say this. I believe one of the challenges the Minister of Health has is that he is trying to micromanage each and every one of the individual reforms in his ministry. God bless him if he has the energy, the endurance, the stamina and the mental dexterity to stay one step ahead of his bureaucrats. But let me simply say, as someone who has held the responsibility for the long-term-care portfolio, which in and of itself is about a \$5-billion portfolio—actually, it's the third-largest portfolio in the government—that it's hard for the minister to stay on top of some of the agenda items.

We know what his priority items are. Those are very clear in terms of the stated objectives of his OMA agreement, dealing with an agreement with our nurses, to rein in hospitals and get them under control with their expenditures. He is looking at initiatives to reduce waiting times.

I was talking to one of my constituents tonight. One of the reasons I don't mind midnight sittings is because I get to phone my constituents up until 10 o'clock at night, and for those who are still watching, whom I was able to talk to earlier, I talked to one lady who called me about a health-related matter. She had expressed concern. She was on a two-year waiting list for cataract—sorry, a retina transplant. Because of the government's intervention—and this is a positive intervention—to reduce the number of cataract surgeries, she found out last week that her two-year wait has now been bumped to a three-year wait because that operating time has now been taken up with cataract. Now—

*Interjection.*

**Mr. Jackson:** Cornea; sorry. Now, a cornea transplant—thank you—left unattended will result in her absolute blindness, so she's struggling for me to explain to her why this happened and how this happened. I will discuss that more directly with the minister, but I know that the minister will not be able to resolve that issue because cornea transplants are not on their list of priorities, so we are bumping that. That is probably an unintended consequence of a minister who is so busy working on a couple of projects directly that he's unable to bring his attention to other, equally challenging issues.

One of those is the whole issue around cancer care. That has been raised a number of times in relation to this bill.

I guess my concern is on several levels. To reduce the incidence of smoking and to reduce the risks inherent with persons who maybe come into contact with second-hand smoke is a laudable public policy objective. But in terms of health outcomes, in the absence of accelerating earlier intervention, with medications and treatments to treat cancer, we're not really moving the morbidity rates in this province as it relates to cancer. Most of the damage that has been done to adults of all ages has already occurred because governments have been late to act on this kind of legislation. So in the absence of any serious effort at cancer care reform or increases to cancer care budgets, we're going to continue to see the kinds of morbidity rates in this province that, frankly, are a measurement of the success of the program.

2320

I'll tell you, one of the areas that is of concern to me, and I've raised it in this House, is the issue of the government's freeze on expanding new drug initiatives for Cancer Care Ontario. The minister objected strenuously when I raised this in the House. I presented documented proof of memos from his own ministry. I presented them to the Premier. I actually presented them to the Premier before I asked the minister the question. I said, "Your minister is going to tell you one thing, and here are the facts," and 11 questions later, we found out that the minister was, in fact, incorrect. Whether or not his bureaucrats had misled him, we'll never know the answer, but the fact of the matter is that we had documented proof that the government had moved to freeze the access to new drugs.

The number one most successful drug for lung cancer in the world was released for all of its medical studies last year at a conference in Louisiana. The cancer community in Ontario returned to Ontario filled with enthusiasm about the clinical trials and the success of this new medication. Yet the government has frozen the budget for new drugs for cancer care in the province. We won that round because we got the minister to capitulate, and the Premier intervened. I want to thank the Premier publicly for picking up the phone and telling his Minister of Health that he had to give the money to cancer care. I'm here to report that even though that successful effort was established last June, those dollars have still not flowed to Cancer Care Ontario for that drug program for persons who are afflicted with that particular form of cancer. So there is a crisis with Cancer Care Ontario in terms of access to treatment, but in particular to new drugs.

So I say to the government, although I will be supporting this legislation that purports to limit the exposure to second-hand tobacco smoke in the province, it is a vain effort unless this government's prepared to increase support for Cancer Care Ontario, which is what Ontarians richly deserve.

**The Deputy Speaker:** Questions and comments?

**Mr. Levac:** I want to thank the member for his 20-minute speech on Bill 164, what we're talking about, and

I'm glad that he stayed on the topic of cancer and support for the bill in terms of the intent.

I want to reiterate a couple of points I made earlier. Number one, we're talking about 16,000 people a year who lose their lives to smoke-related issues, second-hand smoke, and the member has acknowledged that second-hand smoke does kill. Unfortunately, in this very House I believe we have some people who don't believe that. They don't believe the science. Unfortunately, that's the case. The science is there. The evidence is quite clear. We have had statements from some people here that said that the jury's out on second-hand smoke. Some people are unfortunately not accepting the reality that it is killing people.

The second point that I want to make to the member is the important issue of leadership in making sure that our kids don't start. The other component of the bill is cessation programs. Programs that help people remove themselves from the bane of cigarette smoke are included in this. When I bring out the Hansard and the comments for the news clipping for the member opposite who is yakking at me, he'll have to stand up and say: "I'm sorry; you were right. There was somebody in this place who was doing that." In respect to the person that I'm showing, I want to make it clear that the science is there, and it's evident.

What this legislation also does is make it clear to the public of Ontario that we care about those workers in all those places who have been exposed to this year after year and decade after decade. I want to make it clear that I have heard from members on the other side who are going to be supporting this bill, and that's good news, because it's good news for those people who are losing lives as a result of a preventable cause.

**Mr. Ted Arnott (Waterloo-Wellington):** At this late hour of approximately 11:27, the member for Burlington has offered the House a thoughtful expression of his views and concerns about the government's anti-smoking bill. He made reference to the effect of this bill on Ontario's hospitality sector. As a former Minister of Tourism, he knows of what he speaks. Clearly, this is a significant drawback to the bill.

How can the government justify their dismissal of the interests of these small business people who own small, independent restaurants, who in many cases, in order to conform and comply with municipal anti-smoking by-laws, have spent upwards of \$100,000 to construct separate smoking dining rooms? Why is the government ignoring this legitimate concern with this bill? Why is it unwilling to allow a reasonable phase-in of the new anti-smoking rules to allow these restaurants to recoup their investment or look at compensation for these small business people? It's my understanding that amendments were brought forward at the committee stage of the bill and were voted down.

I think the member for Haldimand-Norfolk-Brant has brought forward an extraordinary amount of information tonight in his speech. His one-hour lead-off speech went a long way to touch on many of these issues. We've



heard many of the views that he brought forward continue to come up during the course of this debate. Certainly, the member for Burlington, as a member of this House with 20 years of experience, demonstrated his experience tonight with his effective presentation of his views.

It's always been my belief that, as a society, we need to discourage people from smoking, especially our young people. When it's possible to do so, we need to take steps, through legislation and regulations, to ensure that we are in fact doing that. For that reason, when this bill comes to a vote ultimately, I will be supporting it. But I would also say that I have a number of reservations about a number of provisions of this bill, and I'm disappointed that the government wasn't prepared to listen to the public during the hearings process and make meaningful revisions on the legitimate issues that were raised.

Again, I want to compliment the member for Burlington for his presentation this evening.

**Hon. Mr. Bartolucci:** I want to thank the member from Burlington for his very good 20-minute presentation. I am impressed that he stuck to the topic, at least, and offered his point of view in a very rational, very real way. I commend him for that.

Listen, there are many people in this House who can tell personal stories about cancer in their family. I had a father who suffered a horrible, slow death due to cancer. I had a father-in-law who suffered unbelievable pain as he died from lung cancer. So we look at this bill, as a government and as individuals on this side of the House, and we believe that it is extremely important that this bill become law.

Sometimes in this House we forget the importance of good legislation and how it impacts on the community at large called the people of Ontario. Although we have received good insight tonight, especially from the member from Burlington, I believe this bill should already have been law, this bill should have already been voted on, this bill should already have been enacted, so that we would be able to save lives in the province of Ontario.

I offer that today as an opportunity to have the bill voted upon the next time this comes up. I believe it's extremely important that this become law. I don't believe we should be playing politics with people's lives. I commend the member from Burlington for offering his comments, but certainly the reaction and actions of the opposition tonight were anything but helpful.

**Mr. Baird:** I say to the member opposite that all of our families, on every street and in every neighbourhood, have been touched by cancer, and that doesn't not have an effect on how you want to approach health care policy or public health issues.

I do want to respond to something that he said. He said that he thinks this should have been law. Then why were we debating legislation like bring-your-own-wine-to-restaurants? Why was that more important than this piece of legislation? Why did we debate a bill to ban pit bulls? How many people have died of pit bulls versus the 16,000 you claim have died, and the Canadian Cancer

Society and the government figures have suggested have died, from cancer? Why did that bill get priority over this bill?

2330

The kind of junk legislation that this government has brought forward—we had a special winter sitting and sat for four weeks. You didn't call this bill once for debate during that time, because you thought it was more important that you be allowed to bring your own wine to a restaurant than to pass this bill. That is the honest truth, and that's a direct response to this member's statement. I think this bill should have had a greater priority than bringing your own wine to a restaurant.

I do want to compliment the member for Burlington, who, as usual, has relayed the concerns expressed to him by the good people of Burlington, and talked about their concerns and their support for this bill. I disagree with his conclusion, but I know that his thoughts are heartfelt and that he has struggled with this issue. Despite the bill's shortcomings, he plans to support it. God bless the member for that. I do have a different view with respect to property rights and with respect to the economic impact of the bill.

**The Deputy Speaker:** The member for Burlington, you have two minutes to reply.

**Mr. Jackson:** I want to thank the member for Brant. I am painfully aware of the 16,000 people who will lose their lives. In fact, my constituency assistant died Monday of this week from lung cancer, and unfortunately, if the vote is Thursday, I will be at her funeral. To Eleanor Craney, who was—and I helped her bury her husband four years ago from the same illness.

I want to make sure that you embrace the concern that I've been sharing within this House for some years now, and that is that our cancer care program in this province is falling behind the national standard. There is not a national program for cancer in this country. Ontario historically provides leadership in this area, and we are falling behind. I know the member opposite knows these issues and shares the concern with me, but there's clear evidence that there will be cost containment strategies applied in cancer care. So yes, it's good that we're going to reduce incidents, but on the other hand, we have this other challenge.

There is an interesting unintended consequence which I'm very pleased about, and that is there is an exemption in this legislation for nursing homes and retirement homes. When you think about it, one of the bigger challenges we have is that our seniors do not get the kind of visitations from their family members that they deserve after a lifetime of sacrifice. Some of them only get to see their relatives at Easter or Christmas and so on. When you think about it, one of the last few smoking rooms that are allowed in the province of Ontario is where Grandma and Grandpa are staying. We may actually have more visitations, and when you consider that loneliness is the number one disease affecting seniors, maybe smoking rooms are going to bring families closer together. I don't want to leave on that

humorous note, but I have to believe that there will be some families that will be there simply because they'll be able to have a smoke with Grandpa.

**The Deputy Speaker:** Further debate?

**Mr. Runciman:** I appreciate the opportunity to participate this evening. Anyone tuning in on the parliamentary channel this evening may be wondering why only Progressive Conservatives are participating in this debate this evening. Essentially, we have, on occasion, had some Liberal members intervene with respect to what we call two-minute hits, but for whatever reason, they feel it's not necessary to participate in a fulsome discussion and debate of what they consider to be very important legislation. We've heard them say that time after time with respect to their responses to speeches delivered by members of the official opposition, but they have yet to partake of an opportunity to provide 20 minutes of discussion with respect to some of the concerns that have been, I think, very articulately expressed by members of the official opposition.

At the end of the day, as I indicated earlier, I will support the legislation. I have very serious concerns about the way the Liberal government is proceeding with this legislation. Going back to the last provincial election, in one of the all-candidates debates—and maybe more than one—it came up: “Would you support a province-wide smoking ban?” I indicated that yes, individually, as a member of the Legislature, I would, and I do and I will.

But beyond that, I guess it's the way that you bring forward a province-wide smoking ban. I think a lot of concern that remains with the official opposition is the way the government has proceeded with this legislation.

**Mr. Baird:** Bullies.

**Mr. Runciman:** Bully, I think, is a trademark of the government. Two years into their mandate, the arrogance—and we saw it here this evening with the reactions of the Minister of Health, the Minister of Labour, the Minister of Northern Development. It's very unbecoming of members of the executive council, and certainly unfortunate.

Tomorrow we're going to be debating the way this place conducts business. I think what we've seen with the carriage of this legislation, the refusal of the government here this evening to even participate in the debate on this legislation, is indicative of the way they approach matters of business in this place, the way they deal with members of the official opposition and members of the third party. There's a level of disdain which is palpable. We see it in question period when the Premier, and his ministers following suit, refuse to respond to critically important questions that are posed to them on a daily basis in this place, and that sets the standard. That sends a message throughout the ranks that this is the way we're going to treat this place, this is the way we are going to treat members of the official opposition and the third party. As someone who has sat in this place for going on 25 years, I have to say how regrettable that is.

One of the reasons the official opposition has opted not to move quickly in terms of passage of this legis-

lation, even though we feel, despite our concerns—and we want to put our concerns on the record. We're prepared to deal with the legislation in an expeditious manner. I said this earlier in a two-minute response, as you may recall. There are a limited number of options available to the official opposition and to opposition members to express their concerns about the way the government is dealing with the business of the House. One of the ways that we have is to do what we are doing this evening. Even though we may essentially agree with this legislation, acknowledge that it's going to pass, we are debating this legislation essentially focused on one reason, and the reason is the government's adoption legislation.

We heard in question period today and we've heard from the privacy commissioner herself very significant concerns about the government's refusal to recognize the very legitimate concerns surrounding crown wards. We're talking about a very small number of people, primarily women, who have been the victims of incest, sexual assault, who now, through this government legislation, could be in very difficult positions. We've heard, with respect to certain religions, of people threatening suicide as a result of this legislation.

What we have called for on this side of the House—and the privacy commissioner has called for this—is a very modest change which would provide protection through a veto with respect to the retroactive nature of this legislation for crown wards.

2340

That is essentially why we are here this evening, why we are extending debate on the smoke-free Ontario legislation. We will continue. Our concern is not going to be limited to Bill 164. With any legislation that the government calls in the next week, or two, three or four weeks, we are going to conduct ourselves in the same manner, regrettable as that may be for all of us in this place. We want to see this place be effective and we want to see legislation move forward that we believe is beneficial to most Ontarians, but with respect to this, it is a matter of principle. Our caucus has made a decision and we feel very strongly about it. You can see the enthusiasm in our ranks this evening. That is not going to dissipate. We feel very strongly and we're going to stand by it. Take heed of this, Liberal members of the government: We are not backing away from this.

**Mr. Wilkinson:** Good.

**Mr. Runciman:** You can say “good,” and that's fine and dandy. We have asked for a very modest change that recognizes very real, legitimate concerns that have been expressed to you on a number of occasions by the privacy commissioner herself. For you to ignore that and to ignore our concerns—we're going to use the limited number of tools available to us. That is a role we have to play as an official opposition. You may resent it, you may be upset by the fact you have to be here, but that is the job we were elected to do, and that is the job we are going to continue to do. Count on it.



I will talk a bit about the legislation as well and reiterate concerns. I appreciate the opportunity to put them on the record. One of the things that really bothers me about this legislation, and I gather it applies to so many initiatives of this government, where they really do not consult, and if they consult, it is with a very narrow group of folks—we heard this selective interest, and they have very little, if any, consideration for the impact their decisions might have on the residents of this province.

I was recently told this by someone in the Toronto area. This is perhaps extreme, but I think it is indicative of some of the investments that have been made around the province, especially in the major urban centers. Someone had invested upwards of \$300,000 in a designated smoking room in one of the establishments in the city of Toronto, and this government is coming forward with its heavy-handed approach without any phase-out period, without an opportunity for these people to recoup their investment, shoving it down their throats—

**Mr. O'Toole:** Ram.

**Mr. Runciman:** Ramming it—that is perhaps even more descriptive. This is the sort of approach that I think is truly offensive to most Ontarians.

We have come to accept that this is the *modus operandi* of the Minister of Health, "Furious George" as he has been nicknamed: "Take it or leave it, this is the way it's going to be. I don't care if you have concerns, legitimate or otherwise, this is the way I want it to be and that is the way it is going to be." That is the Liberal stamp with respect to so much of their legislation and so many of their initiatives, policy and otherwise.

We think there should be some recognition of the good folks in the hospitality sector who have made these kinds of investments and I think require some sort of transition period in terms of being able to cope. I have a good friend Courtney Donovan, who is employed with the Canadian Restaurant and Foodservices Association. Doug Needham, with that same organization, is her boss, I believe. Doug had an op-ed piece in the *National Post* today talking about the imminent passage of the Liberal government's Bill 164 and about some of the problems the hospitality and restaurant sector has had to contend with over the past number of years. Certainly, we know about them, with 9/11 and the outbreak of SARS and the impact those have had on the restaurant, hospitality and hotel sectors.

Insurance and utility costs, Doug Needham points out, are rising, but sales are trending downward. Between 2001 and 2004, average sales per establishment fell by almost 25%, with 4,100 jobs wiped out. That is the equivalent, as Doug Needham points out, of closing the Oakville Ford plant. This is an industry heavily dependent on tourism. Business is plummeting. We had the NHL shutdown, and now we know what has happened with respect to the impact of the NHL closing. These are a whole range of areas that this government has chosen to completely ignore.

The hospitality industry is truly suffering. Without some kind of an opportunity to have a phase-out here, not

only are the investments going to be lost, but we're going to see many, many more businesses fail and jobs lost. But that is clearly not a concern of the Liberal government of Dalton McGuinty. They are completely oblivious to the fact that this is going to have such a negative impact in that sector. They want to ignore it.

*Interjections.*

**Mr. Runciman:** We are even hearing hectoring here this evening from a member who represents a riding which has a large agricultural sector. He's treating this issue with contempt. We know how this government has treated tobacco farmers despite the pledges and promises they made to tobacco farmers. They have treated them like dirt in terms of providing an opportunity for transition to different crops. That has been very sad, very unfortunate; I think "despicable" is not going over the top. I think "despicable" is an appropriate way to describe the way the Liberal government of Dalton McGuinty has treated tobacco farmers. The way they are treating people in the hospitality, hotel and restaurant sectors of this province is truly, truly unfortunate. We will pay the price as a province, but that doesn't seem to matter to these folks across the way.

I have a sense of *déjà vu* when I listen to the Liberal backbenchers. It reminds me of being in this House between 1990 and 1995 and listening to the NDP backbenchers, oblivious to what they were doing to the province of Ontario, oblivious to what they were doing to the economy of the province of Ontario, oblivious to what they were doing to the future of the province of Ontario and oblivious to what it meant to them in terms of their electability. That is what I see happening here. They go into their caucus meetings every Tuesday, and they get this message from the House leader, they get this message from the whip, they get the message from the Premier: "This is this, this is that, this is what we're going to do," and it's, "Yes, sir. No, sir." They all stand up and they parade in here with the blinkers on. They don't know what they're doing or why they're doing it, but they've been told to do it, and, "By gum, that's what we're going to do."

**Mr. Bisson:** That certainly didn't happen in the pension debate under Harris.

**Mr. Runciman:** My good friend, he is one of the survivors. There are—what?—eight or nine of them there. Folks, smell the coffee. You are heading right down the same road, folks. Stand up and start defending the people you were elected to represent—not Dalton McGuinty, not the Minister of Finance, not Warren Kinsella, not Matt Maychak, not the whiz kids in the Premier's office who are sitting at home sipping their lattes or having their evening drinks while you are in here doing the sucker jobs for them. You are the suckers, in capital letters. That's the reality.

*Interjection:* Is that water?

**Mr. Runciman:** Good Ontario H<sub>2</sub>O.

I'm keeping them awake, Mr. Speaker. That's my prime objective here: keeping them awake.

I used this term earlier, the “modus operandi” of this government, this sort of arrogance; I call it a Toronto-centric approach. Mr. Speaker, you know this. I think you have a fairly large rural component to your riding. There are a number of us in this place, Pat and others, who have rural—

**Mr. Baird:** Me.

**Mr. Runciman:** Mr. Baird, Nepean–Carleton. You see what they’re doing in rural Ontario, this complete sort of nonchalance. There’s no appreciation, no respect, no understanding of rural Ontario, what the history of rural Ontario is all about.

We see it with the Minister of Labour here this evening. He’s sending his inspectors to agricultural fairs and steam fairs and shutting down these historic steam locomotives, steam engines, which have been in rural and agricultural fairs for 30, 40, 50 years, with these people who have operated them for 40 or 50 years. He’s got his wet-behind-the-ears inspectors going in and shutting them down, saying, “You can’t have a steam engine fair any more. You can’t have a steam engine at a corn fest.” That’s what this Minister of Labour is doing. That’s what this Liberal government is doing to rural Ontario.

Look at what they’re doing in terms of farmers’ markets. They’re sending in their troops, saying, “You can’t sell pies. You can’t sell jams. You can’t sell baked goods of any kind.” What’s happening next?

*Interjections.*

**Mr. Runciman:** It’s happening in our ridings.

**Mr. Baird:** The jam police.

**Mr. Runciman:** The jam police. Yes, the jam police. That’s for sure. The McGuinty jam police.

**Interjection:** Nanny state.

**Mr. Runciman:** What a nanny state. It’s truly offensive. If any of you had one ounce of intestinal fortitude, you’d stand up and fight against it. But no, you’re there to sing out of the Liberal hymn book—sing out of the Liberal hymn book. Who drafted it? Don Guy, Warren Kinsella, David MacNaughton—

**Mr. Baird:** Jim Warren.

**Mr. Runciman:** Absolutely, Jim Warren, Matt Maychak. You don’t know how meaningless you are to these guys. They’re calling the shots.

We talk about democratic renewal—and I’ve been through this. I am not saying this is solely a Liberal problem. We have to deal with the fact that there’s so much power centred in the Premier’s office. People who are elected across the province get here thinking they’re going to have real influence and ability to make decisions that impact on the people they were elected to represent, and they find out they are not able to do that. It’s this small coterie of people around the Premier who effectively make the decisions every day that affect what happens in this place. You get up, as the folks who have been elected, and whose guidance are you following? Not the people who put you in office. No, you’re not following their guidance. You’re following Don Guy’s guidance.

**Mr. Baird:** Gerald Butts.

**Mr. Runciman:** You’re following Gerald Butts’s guidance. You’re following Matt Maychak’s guidance. That is a sad, sad commentary on the state of democracy in the province of Ontario.

**The Acting Speaker (Mr. Ted Arnott):** It being close enough to 12 o’clock, this House stands adjourned until tomorrow at 1:30 p.m.

*The House adjourned at 2354.*





## CONTENTS

Tuesday 31 May 2005

### THIRD READINGS

#### Tobacco Control Statute Law Amendment Act, 2005,

Bill 164, *Mr. Smitherman*

Mr. Barrett.....7305, 7313, 7332, 7337

Ms. Martel.....7312, 7316, 7321, 7324

Mr. Parsons ..... 7312

Mr. Tascona..7312, 7321, 7330, 7333

Mr. Fonseca..... 7313

Mr. Baird.....7313, 7317, 7324, 7325

7329, 7341

Mr. Klees..... 7314, 7317

Mr. Levac .....7317, 7333, 7340

Mr. Bentley ..... 7317, 7337

Mr. Wilson ..... 7317, 7322

Mrs. Chambers ..... 7321

Mr. Leal..... 7322

Mrs. Munro ..... 7322, 7325

Mrs. Meilleur..... 7324

Mr. Runciman .....7325, 7329, 7336,  
7341

Mr. Hoy ..... 7325

Mr. O'Toole .7328, 7333, 7334, 7337

Mr. Bisson..... 7328

Mr. Delaney..... 7329, 7336

Mr. Dunlop..... 7332

Ms. Scott ..... 7333

Mr. Smitherman ..... 7334

Mr. Jackson ..... 7338, 7341

Mr. Arnott ..... 7340

Mr. Bartolucci ..... 7341

Debate deemed adjourned ..... 7344

### TABLE DES MATIÈRES

Mardi 31 mai 2005

### TROISIÈME LECTURE

#### Loi de 2005 modifiant des lois

en ce qui a trait à la réglementation de l'usage du tabac,  
projet de loi 164, *M. Smitherman*

Débat présumé ajourné..... 7344













